In the Appeals Chamber

Before:

Registrar:

Case No. Date :

IT-05-88-A 21 October 2011

> IT-05-88-A A13166-A13165 21 October 2011

Judge Patrick Robinson, Presiding Judge Mehmet Guney Judge Fausto Pocar Judge Liu Daqun Judge Andresia Vaz

Mr. John Hocking

Public Post Session Redaction Order

The Prosecutor v,

Vujadin Popovic et al.

Order to redact the trial public transcript and the trial public broadcast of a hearing

The Appeals Chamber

ORDERS that the following highlighted text, of the trial phase, transcript page 23532 lines 15-17 (10.00.14.-10.00.27.), be omitted from the public transcript of this hearing and be edited from the public broadcast of this hearing.

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	25 09:56:56	My learned friend asked a question, was in there a conspiracy	
22	2:109:57:02	then against Mr. Beara? Very very difficult and complicated to prove.	
		It is not our burden to prove whether there was a conspiracy. We	
	3 09:57:15	bring forth the facts. But let me share with you one fact in	
^	4 09:57:19	particular, and that's a proofing note on the 23rd of October 2007.	
	509:57:27	And I believe it may have an ERN number, I was a 65 ter number. I was	
	609:57:33	unable to find it but I do have the ERN number I'll just share for the	
	7 09:57:37	court so the record is complete. That is BRN number 06242637.	
	8 09:57:50		
		to how, when and why certain individuals like Deronjic and Dragan	
		Milkovic and others in the Bratunac area who were civilians had lied	
		and fabricated evidence and stories. No doubt they had a motive.	
		Crimes occurred before their very eyes. Both in 1992 and in 1993.	
		This document that I referenced and proofing note of the 23rd of	
		October 2007 is also of a former local individual from that area. He	
ε,		was convicted and he pled guilty, but when he was proved and it was	
1		evidence that the Prosecution sought to leave, my learned friend	
		Julian Nicholls who I'm Orahovac he is not here I'm apologise for	
		refrping him because he is not here, he conducted that interview and	
		a Defence attorney and has the qualities to be one. He records	
		honestly in that proofing statement portions of that discussion with	
1		Mr. Nikolic. First he tells us that the witness stated that he	
		learned through information that, among others, Drago MRI vas much \uparrow and Dragan \uparrow held a meeting at the Bratunac MUP headquarters after	
		and pragan neid a meeting at the pratumat mor headquatters after the killing. I don't think we are argument about this. This is	
		the Killing. I don't think we are argument about this. This is discussing after the Kravica killing. Never mentions Mr. Beara, Mr.	
5		uiscussing after the Klavica Kliling. Never mencions ht. beara, ht. Beara was not there, did never participate in any such crime that is	
6.		seara was not chere, did never participate in shy such clime that is	
·• ,	3 09:59:46		
		document, Mr. Nicholls records that this witness also stated that	
		"Bears had nothing to do with the burial of the bodies at Glogova."	
	610:00:08	Point 3, same document, Mr. Nichols records that this witness	
	7		
	8		
	9 2 4 1 2 2		
	10 10:00:38	Civilian authoritys in Bratunac did not know Ljubisa Beara. Even	
	11 10:00:44	those who claim that they met him during those events supposedly for	
		several minutes or moments while they were conducting the transfer of	
		detainees never before met him or had an encounter with him or under	
		any circumstances would not have accepted or discussed any of the	
		matters that the Prosecution has alleged that have occurred as it	
		relates to Mr. Beara.	
	17 10:01:18	They had their local military officers who they placed in	
		power in that community. Military men they knew, military men that	
	1910:01:32	they supported and military men perhaps whom they conspired with. The	
		Bratunac civilian authorities did not need any outside influence to	
		assist them in the transportation of civilians or Bosnian Muslims in	
			•
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The blacked-out text, as identified by the passages prior and subsequent thereto, is confidential. Any person or organization, including media organizations, which has possession of the public recording of all or the relevant portion of the proceeding containing the confidential information is hereby enjoined from disclosing it to any other person(s) or organization(s) as of the date and time this order is received. The failure to conform may result in contempt charges being issued by the Tribunal against the disclosing person or organization.

Patrick Robinson Presiding Judge

13165

In the Appeals Chamber

Before:

Registrar:

Date : 21 October 2011

Case No.

IT-05-88-A

Judge Patrick Robinson, Presiding Judge Mehmet Guney Judge Fausto Pocar Judge Liu Daqun Judge Andresia Vaz

Mr. John Hocking

Public Post Session Redaction Order

The Prosecutor v. Vujadin Popovic et al.

Order to redact the trial public transcript and the trial public broadcast of a hearing

The Appeals Chamber

ORDERS that the following highlighted text, of the trial phase, transcript page 10056 lines 14-19 (10.10.03-10.10.21), be omitted from the public transcript of this hearing and be edited from the public broadcast of this hearing.

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	and what he has what he has heard and what he has seen when he was in	an a	
	July of 1995 with in his capacity as commander of the 4th Battalion. `		
2210:08:32			
2310:08:35	remarks from you very briefly, Mr. Vanderpuye, please.		
24 10:08:38	MR. VANDERPUYE: Thank you, Mr. President. Very briefly I think		
25 10:08:40	my colleague's arguments while maybe well-intended is not well-guided. I		
25:110:08:49	think it is entirely up to the trier of fact to put into context		
2 10:08:52	testimony of a witness who is before it it, who s credibility and the		
[™] (3 10:08:57	weight to which it will attach certain things is critical and I don't		
4 10:09:01	think that the Prosecution should be put in a position of putting an awe		
5 10:09:06	tomorrow on it on the stand and pleasing a button and playback rather to		
610:09:12	present to the Trial Chamber a complete picture of the witness so that		
, 710:09:16	the Trial Chamber can make a well-founded assessment as to the weight to		
810:09:22	attach to this witness's testimony and indeed in this case to the extent		
`910:09:28·	that involves a future Prosecution witness to an a way to attach that		
	witness's testimony as well so it's entirely relevant to the proceedings.		
	Tense material relevant to the matter at issue which is the subject		
	matter of the 65 ter summary.		
13 10:09:42			
	confer with my colleagues.		
15 10:09:47	. Yes, Mr. Meek.~		
1610:09:48	MR. MEEK: Yes, Mr. President, Your Honours. First off, we would		
17 10:09:53	join Mr. Bourgon's argument, but secondly I'm little confused. Is the		
18		and set of the second second second	A COLORED BORNEY
19		State Barrie Area State	and the second second
20	n an tha an an tha an		
21	na an tao ang	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	1849 C.
22	Cone of them is		
	going to not be speaking the truth from what I hear coming from the		
	Prosecution.		
25 10:10:32	' JUDGE AGIUS: Let me confirmed		
26:110:10:35	MR. HAYNES: Mr. Meek has just poseded the question that I think		
	is essential to this deblachit van needs to an I dress the question is he		
	attacking the credibility of his own witness now or is he seeking to		
	bolster it?		
5 10:10:49	JUDGE AGIUS: Okay. Thank you. Usually we allow when there		
	are more than one counsel is there any objection on the Defence side to		
	give the floor to Mr. McCloskey?		
8 10:11:10			
9 10:11:10	JUDGE AGIUS: Yes. You have to remain silent, Mr. McCloskey.		
	Perhaps while while we are conferring you may confer with	,	
12 10:11:19	Mr. Vanderpuye. [Trial Chamber confers]	,	
13 10: 16: 06	[TTIAL Chamber Conters] JUDGE AGIUS: So we've come to one moment, because 1 was		
	JUDGE AGIUS: So we've come to one moment, because I was marking something here, and I forgot what it was now.		
15 10: 16: 15	We have decided as follows: We uphold the objection by		
	We have decided as follows: we uphold the objection by Mr. Bourgon or from Mr. Bourgon, and we direct you as follows: That		
	Mi. Bourgen of from Mr. Bourgen, and we direct you as forrows. That		
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Patrick Robinson Presiding Judge