In the Appeals Chamber

Before:

Registrar:

Case No. Date :

IT-05-88-A 26 October 2011

IT-05-88-A A13173-A13171 27 October 2011

13173

MC

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, hearing of 23 August 2006, transcript page 608 lines 18-23 (12.19.36-12.20.05), be omitted from the public transcript of this hearing and be edited from the public broadcast of this hearing.

veNote SR - [23/08/2004		
Contraction of the second s	h Amotate leave Report Options Villedow Heb	
7 12:17:32	JUDGE AGIUS: Okay. For this trial. Okay. Thank you.	
8 12:17:36		
	Maybe we can quickly go through the next one just to show, not this one,	
	another one, next one. Okay. This one, if I can go just before we see	
	number 132, and where the investigator says, "But if you're not telling	
	me the truth and if you're not telling me exactly where you went and what you saw it's difficult for me to believe that you weren't further	
	involved, that you weren't deeper involved. I'll ask you again, did you	
	yo where the bodies were? I'm only asking you if you were there and saw	
	them. Let's be truthful and honest." I'll leave it at that and move on	
	to my next issue which is that of as we hear these witnesses, there are	
	things that we will have to be very careful, potential traps to be	
	avoided, and as the Defence for Drago Nikolic, we will try to do our best	
	to ensure that we avoid these traps and those include opinion evidence,	
21 12:19:54	hearsay, and witnesses being led. All these things in some form are	
	admissible before the International Tribunal. It's a Tribunal that is	
	different from many others in this respect. However, whether it is for	
	hearsay, whether it is for opinion evidence, I'm talking opinion of an	
	ordinary witness and not of an expert witness, or whether it is a	
	procedure in leading a witness, there are procedures established in the	
	case law of this Tribunal and the Defence will do its best to assist the Trial Chamber in ensuring that these procedures are respected.	
4	Trial Champel in ensuring that these procedures are respected.	
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7 2 20 64		
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9	I	
	personally where I come from, I'm a fan of guilty pleas. They are a good	
	way to administer justice in many respects. However, in this case, where	
	we have a multiple accused case, I'm really not convinced any more that	
	accepting guilty pleas in such trials is a very good way to proceed.	
	Simply because, and we will demonstrate this when these witnesses appear before the Trial Chamber, we will demonstrate that they had an interest	
	in pointing fingers at others who were not there and we will show the	
	inconsistencies, the many inconsistencies and the stories that do not	
	hold the road in their testimony.	
19 12:21:02	These witnesses have used the guilty plea to their advantage and	
20 12:21:09	they have provided information which the Prosecution was looking for,	
21 12:21:14	which the Prosecution needed, and which the Prosecution indeed obtained	
	in exchange for leniency towards sentencing.	
23 12:21:24		
	tell the truth, and that such evidence cannot be used as evidence as	
	reliable evidence in this case. Now, as I end this opening statement, I	
63:112:21:46	think you will agree with me, Mr. President, that I there is no	
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sages prior and sub ent thereto, is confidential y the pa 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 ntempt charges being issued by the Tribunal against the disclosing person or organization.

> Patrick Robinson Presiding Judge

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The Appeals Chamber

ORDERS that the following highlighted text, of the trial phase, hearing of 16 May 2007, transcript page 11587 lines 22-23 (09.22.03-09.22.09), be omitted from the public transcript of this hearing and be edited from the public broadcast of this hearing.

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3 09:20:33	
	yesterday, for example, you went practically through the entire notebook
	with the witness, drawing his attention to where it was where entries
	in pencil, entries in pen, asking about handwriting, asking about this
	and about that. So our answer to all the submissions that have been
	made, submission to admit and objections from Mr. Haynes and from
	Mr. Meek is that for the time being, this is not being admitted. It is
	being marked for identification. Once we have the full translation,
	there will only be left the question of authenticity and chain of command that has been brought up, et cetera. So the document will remain marked
	that has been brought up, et deters. So the document will remain marked for identification, not only until it is translated but until these two
	for Identification, not only until it is translated but until these two issues also are dealt with and determined.
1509:21:42	
	nk, TAKIRK, And, Fod Honout, just to follow up on your pleateds
	query, At. Fresheant, we will be in addition to bringing withebases who will discuss various portions of the notebook, as my friends know, Mr.
18 20240230	
	So there are many questions that I believe
20 09 22 14	will be dealt with.
21 09:22:15	
	Ms. Nikolic, he went to prepare the motion?
2309:22:22	
	Mr. Bourgon has left and he's working from the office. He's working
	on the submission so as to be lebl to file it as soon as possible.
0:109:22:34	
2 09;22:40	
309:22:48	
4 09:22:49	JUDGE AGIUS: My apologies to you, Mr. Haynes.
5 09:22:53	MR. HAYNES: Not hat all. Through the last witness I would
609:22:55	tender into evidence 7D180. It is a page from the Zvornik Brigade duty
	officer's notebook.
809:23:02	
909:23:08	
	untranslate and we had it translated separately.
11 09:23:15	
12 09:23:20	
	corrected on that but through the previous witness, there was 7D155 and
1409;23;30	
15 09:23:35	
17 09:24:04	the previous witness? MR. HAYNES: 155 and 159, ves.
18 09:24:04	
19 09:24:05	
20109:24:12	
	377? And have they been translated?
22 09:24:27	
23 09:24:28	
24 09:24:36	
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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.

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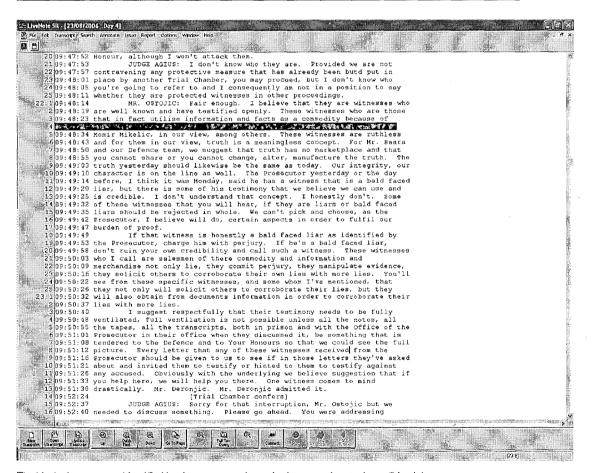
Public Post Session Redaction Order

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ORDERS that the following highlighted text, of the trial phase, hearing of 23 August 2006, transcript page 567 line 22 (09.48.27), be omitted from the public transcript of this hearing and be edited from the public broadcast of this hearing.



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