

**UNITED
NATIONS**



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
former Yugoslavia since 1991

Case No. IT-04-75-PT
Date: 31 August 2012
Original: English

IN THE TRIAL CHAMBER

Before: Judge Guy Delvoie, Pre-Trial Judge
Registrar: Mr. John Hocking
Order: 31 August 2012

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**ORDER ON FILING OF PUBLIC REDACTED VERSION OF
PROSECUTION PRE-TRIAL BRIEF**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for Goran Hadžić:

Mr. Zoran Živanović

Mr. Christopher Gosnell

I, Guy Delvoie, Judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Tribunal”) and Pre-Trial Judge in the present case, note that the Prosecution filed its Pre-Trial Brief on 3 July 2012 pursuant to Rule 65 *ter* (E)(i) of the Rules of Procedure and Evidence of the Tribunal (“Rules”).¹ The Pre-Trial Brief was filed confidentially.

1. Article 20(4) of the Statute of the Tribunal (“Statute”) provides that hearings shall be public unless the Trial Chamber decides to close the proceedings in accordance with its rules of procedure and evidence. Article 21(2) of the Statute provides that, in the determination of charges against him, the accused shall be entitled to a fair and public hearing, subject to Article 22 of the Statute. In addition, Rule 78 of the Rules provides that all proceedings before a Trial Chamber, other than deliberations of the Chamber, shall be held in public, unless otherwise provided.

2. I therefore consider that it is appropriate for the Prosecution’s Pre-Trial Brief to be available to the public to the fullest extent possible. Accordingly, pursuant to Articles 20(4) and 21(2) of the Statute and Rules 54, 65 *ter*, and 78 of the Rules, I hereby **ORDER** *ex proprio motu* the Prosecution to file a public redacted version of its Pre-Trial Brief by no later than 31 October 2012.

Done in English and French, the English text being authoritative.

Done this thirty-first day of August 2012,
At The Hague,
The Netherlands.



Judge Guy Delvoie
Pre-Trial Judge

[Seal of the Tribunal]

¹ Prosecution Pre-Trial Brief (confidential), 3 July 2012, with confidential Annexes A, B, C, and D.