

**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-04-74-A  
Date: 1 December 2016  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Carmel Agius, Presiding  
Judge Liu Daqun  
Judge Fausto Pocar  
Judge Theodor Meron  
Judge Bakone Justice Moloto

**Registrar:** Mr. John Hocking

**Decision of:** 1 December 2016

**PROSECUTOR**

v.

**JADRANKO PRLIĆ  
BRUNO STOJIĆ  
SLOBODAN PRALJAK  
MILIVOJ PETKOVIĆ  
VALENTIN ĆORIĆ  
BERISLAV PUŠIĆ**

**PUBLIC**

**DECISION ON MOTION TO LIFT CONFIDENTIAL AND *EX*  
*PARTE* STATUS OF THE APPEALS CHAMBER'S DECISION  
ON ĆORIĆ'S MOTION SEEKING PROVISIONAL RELEASE**

**The Office of the Prosecutor:**

Mr. Douglas Stringer  
Ms. Barbara Goy  
Ms. Laurel Baig

**Counsel for the Accused:**

Mr. Michael G. Karnavas and Ms. Suzana Tomanović for Mr. Jadranko Prlić  
Ms. Senka Nožica and Mr. Karim A. A. Khan for Mr. Bruno Stojić  
Ms. Nika Pinter and Ms. Natacha Fauveau-Ivanović for Mr. Slobodan Praljak  
Ms. Vesna Alaburić and Mr. Davor Lazić for Mr. Milivoj Petković  
Ms. Dijana Tomašegović-Tomić and Mr. Dražen Plavec for Mr. Valentin Ćorić  
Mr. Fahrudin Ibrišimović and Mr. Roger Sahota for Mr. Berislav Pušić

**THE APPEALS CHAMBER** 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 (“Appeals Chamber” and “Tribunal”, respectively);

**NOTING** the “Decision on Valentin Ćorić’s Request for Provisional Release”, issued confidentially and *ex parte* by the Appeals Chamber on 15 August 2016 (“Decision”);

**BEING SEISED** of the “Motion to Lift Confidential and *Ex Parte* Status of the Appeals Chamber’s Decision on Valentin Ćorić’s Request for Provisional Release”, filed confidentially and *ex parte* by the Office of the Prosecutor (“Prosecution”) on 25 October 2016 (“Motion”), in which the Prosecution requests the Appeals Chamber to: (i) issue a public redacted version of the Decision; or (ii) lift the *ex parte* status of the Decision to make it available to the parties in this case;<sup>1</sup>

**NOTING** that Valentin Ćorić (“Ćorić”) has not filed a response to the Motion;

**CONSIDERING** that all decisions filed before the Tribunal shall be public unless there are exceptional reasons for maintaining their confidentiality;<sup>2</sup>

**NOTING** the Prosecution’s submission that no exceptional reasons exist to maintain the confidentiality of the Decision;<sup>3</sup>

**CONSIDERING** that no exceptional reasons exist for maintaining the confidential and *ex parte* status of the Decision, save for the information contained therein concerning Ćorić’s personal circumstances, which should be redacted from a public version;

**FINDING** therefore that, in the interest of maintaining the public character of the proceedings in this case, a public redacted version of the Decision should be issued;

**CONSIDERING** further that there is no basis for the Motion to remain confidential and *ex parte*;

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rules 54 and 107 of the Tribunal’s Rules of Procedure and Evidence;

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<sup>1</sup> Motion, paras 1, 6. See also Motion, paras 2-5.

<sup>2</sup> See, *e.g.*, Decision on Motion to Lift Confidential and *Ex Parte* Status of the Appeal Chamber’s Decision on Ćorić’s Motion Seeking Provisional Release, 14 May 2015, p.1; *Prosecutor v. Vidoje Blagojević and Dragan Jokić*, Case No. IT-02-60-A, Decision on Prosecution’s Motion to Lift Confidential Status of the Appeals Chamber’s Rule 115 Decision of 21 July 2005, 23 October 2012, para. 8 and references cited therein.

<sup>3</sup> Motion, para. 5.

**HEREBY GRANTS** the Motion;

**ISSUES** a public redacted version of the Decision; and

**ORDERS** the Registry of the Tribunal to lift the confidential and *ex parte* status of the Motion.

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

Dated this first day of December 2016,  
At The Hague,  
The Netherlands.



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Judge Carmel Agius  
Presiding Judge

**[Seal of the Tribunal]**