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Mechanism for
International
Criminal
Tribunals

Mécanisme pour
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Pénaux
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CASE/AFFAIRE NO. MICT-14-71 (DUŠKO TADIĆ)		DATE 19 June 2014
FROM/DE ANNA VERETELNIKOVA, COURT OFFICER		
TO/A		
<input checked="" type="checkbox"/> Office of the President/ <i>Le Bureau du Président</i>	<input checked="" type="checkbox"/> Office of the Prosecutor/ <i>Le Bureau du Procureur</i>	<input checked="" type="checkbox"/> Defense Counsel/ <i>Conseil de la Défense</i>
<input type="checkbox"/> Appeals Chamber/ <i>Chambre d'appel</i>		MR. W. CLEGG / MR. J. LIVINGSTON
<input type="checkbox"/> Trial Chamber/ <i>Chambre de 1ère instance</i>		
<input type="checkbox"/> Specially Appointed Chamber/ <i>Chambre spécialement désignée</i>		
<input checked="" type="checkbox"/> Single Judge/ <i>Juge unique</i>		
<input type="checkbox"/> Embassy/ <i>Ambassade</i>		
<input type="checkbox"/> Other/ <i>Autre</i>		
<input checked="" type="checkbox"/> Office of the Registrar/ <i>Le Bureau du Greffier</i>		<input type="checkbox"/> WISP
<input checked="" type="checkbox"/> Senior Legal Officer/ <i>Juriste hors-classe</i>		<input type="checkbox"/> UNDU
<input checked="" type="checkbox"/> Communications Service/ <i>Service Communication</i>		<input type="checkbox"/> OLAD
PLEASE FIND ATTACHED/VEUILLEZ TROUVER CI-JOINT		
<input checked="" type="checkbox"/> Order/Warrant/Decision issued by Appeals Chamber/Trial Chamber/Specially Appointed Chamber/Judge on <i>Ordonnance/Mandat/Décision émis(e) par la Chambre d'appel/la Chambre de 1ère instance/la Chambre spécialement désignée</i> un Juge le 19 / 06 / 2014		
<input type="checkbox"/> Order/Decision issued by the President on/ <i>Ordonnance/Décision émise par le Président</i> le ____ / ____ / ____		
<input type="checkbox"/> Motion/Request/Application submitted by Prosecution/Defence Counsel/Accused/ Third Party on <i>Motion/Requête/Demande présentée par l'Accusation/le Conseil de la défense/l'Accusé/le tiers</i> le ____ / ____ / ____		
<input type="checkbox"/> Response/Reply/Brief submitted by Prosecution/Defence Counsel/Accused on <i>Réponse/Réplique/Mémoire présenté(e) par l'Accusation/le Conseil de la défense/Accusé</i> le ____ / ____ / ____		
<input type="checkbox"/> Decision of the Registrar on/ <i>Décision du Greffier</i> le ____ / ____ / ____		
<input type="checkbox"/> Other/ <i>Autre</i>		
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<input checked="" type="checkbox"/> Office hours/ <i>heures ouvrables</i> Date: 19. 06. 2014		<input checked="" type="checkbox"/> Office hours/ <i>heures ouvrables</i> Date: 19. 06. 2014
<input type="checkbox"/> Outside Office hours/ <i>en dehors des heures ouvrables</i> Date: ____ / ____ / ____ Time/Heure: ____ h ____		<input type="checkbox"/> Outside Office hours/ <i>en dehors des heures ouvrables</i> Date: ____ / ____ / ____ Time/Heure: ____ h ____

UNITED
NATIONS

MICT-14-71
DSG-DS4
19 June 2014

SG
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Mechanism for International Criminal Tribunals

Case No.: MICT-14-71

Date: 19 June 2014

Original: English

Before: Judge Burton Hall

Registrar: Mr. John Hocking

Order of: 19 June 2014

PROSECUTOR

v.

DUŠKO TADIĆ

PUBLIC

**ORDER ON REGISTRAR'S REQUEST TO ORDER
REDACTION AND RECLASSIFICATION**

The Office of the Registrar

Mr. John Hocking

The Office of the Prosecutor

Mr. Hassan Bubacar Jallow

Counsel for Duško Tadić

Mr. William Clegg

Mr. John Livingston

I, BURTON HALL, Judge of the Mechanism for International Criminal Tribunals (“Mechanism”), being seised of the “Registrar’s Request for Appointment of Single Judge to Order Redaction and Reclassification”, filed confidentially and *ex parte* on 27 May 2014 (“Request”) before the President of the Mechanism;

NOTING that, on 2 June 2014, the President assigned the Request to me, pursuant to Article 12(1) of the Statute of the Mechanism and Rules 23(A) and 86 of the Rules of Procedure and Evidence of the Mechanism (“Rules”);¹

NOTING that, in the Request, the Registrar submits that confidential information revealing the identity of a protected witness has been identified in the public record of the *Prosecutor v. Duško Tadić*, Case No. IT-94-1;²

NOTING that, in order to remove this information from the public domain, the Registrar requests a public judicial order to (i) reclassify a filing from public to confidential; (ii) redact transcript references to the witness and the corresponding audio-visual recordings; and (iii) redact a transcript of the witness’s testimony in the case;³

CONSIDERING that Rule 86(A), read together with Rule 2(C) of the Rules, provides that a Single Judge may, *proprio motu*, order appropriate measures for the privacy and protection of victims and witnesses, provided that the measures are consistent with the rights of the accused;

CONSIDERING that the Request does not seek to rescind, vary, or augment existing protective measures, but rather seeks to ensure the effectiveness of existing protective measures;

CONSIDERING that it is therefore necessary to make the requested reclassification and redactions;

¹ Order Assigning a Single Judge to Consider Registrar’s Request, 2 June 2014 (confidential and *ex parte*).

² Request, paras 4-5.

³ Request, paras 6-7.

PURSUANT TO Article 12(1) of the Statute of the Mechanism and Rules 2(C) and 86(A) of the Rules;

GRANT the Request and **ORDER**:

(i) the Registrar to

- (a) make confidential the “Sentencing Notice” filed by the Defence for Duško Tadić on 9 June 1997; and
- (b) redact the references to the protected witness named in the Request in the following public transcript pages of the hearing of 30 June 1997 in the *Prosecutor v. Duško Tadić*: 8919 (line 1), 8922 (lines 11 and 18), and 8958 (lines 5-7)—and in the corresponding audio-video recordings;

(ii) any person or organization, including media organizations, who has possession of the public recording of the proceedings containing the confidential information, whether in whole or in part, is hereby enjoined from disclosing it to any other person or organization and is warned that any such disclosure may result in proceedings for contempt by the Mechanism against the person or organization who makes the disclosure.

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

Done this nineteenth day of June 2014,
At The Hague,
The Netherlands.


Judge Burton Hall

[Seal of the Mechanism]



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/
FICHE DE TRANSMISSION POUR LE DEPOT DE DOCUMENTS A LA
MECHANISME POUR LES TRIBUNAUX PENaux INTERNATIONAUX**

I - FILING INFORMATION / INFORMATIONS GENERALES

To/ A:	<input type="checkbox"/> MICT Registry/ Greffe du MTPI	<input type="checkbox"/> Arusha/ Arusha	<input checked="" type="checkbox"/> The Hague/ la Haye
From/ De:	<input checked="" type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Prosecution/ Bureau du Procureur
Case Name/ Affaire:	Prosecutor v. Dusko Tadic		Case Number/ Affaire No: MICT-14-71
Date Created/ Daté du:	19-06-14	Date transmitted/	19-06-14
Original Language / Langue de	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Albanian/ Albanais
Title of Document/ Titre du document:	Order on Registrar's Request to Order Redaction and Reclassification		
Classification Level/ Catégories de classement:	<input checked="" type="checkbox"/> Unclassified/ Non classé <input type="checkbox"/> Confidential/ Confidentiel <input type="checkbox"/> Ex Parte <input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu <input type="checkbox"/> Other Ex Parte/ Ex Parte Autre (specify/ préciser): <input type="checkbox"/> Strictly Confidential/ Strictement confidentiel <input type="checkbox"/> Ex Parte (specify/ préciser):		
Document type/ Type de document:	<input type="checkbox"/> Indictment/ Acte d'accusation <input type="checkbox"/> Warrant/ Mandat <input type="checkbox"/> Motion/ Requête <input type="checkbox"/> Decision/ Décision <input checked="" type="checkbox"/> Order/ Ordre <input type="checkbox"/> Affidavit/ Déclaration sous serment <input type="checkbox"/> Correspondence <input type="checkbox"/> Judgement/ Jugement <input type="checkbox"/> Appeal Book/ Livre d'appel <input type="checkbox"/> Notice of Appeal/ Acte d'appel <input type="checkbox"/> Submission from non-parties/ Ecritures déposés par des tiers <input type="checkbox"/> Submission from parties/ Ecritures déposés par des parties <input type="checkbox"/> Book of Authorities/ Livre de sources juridiques		

II - TRANSLATION STATUS ON THE FILING DATE/ ETAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input checked="" type="checkbox"/> Translation not required/ La traduction n'est pas requise
<input type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ La Partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction (Word version of the document is attached/ La version en Word se trouve en annexe)
<input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Albanian/ Albanais
<input type="checkbox"/> Filing Party hereby submits both the original and the translated version for filing, as follows/ La Partie déposante soumet ci-joint l'original et la version traduite pour dépôt, comme suit :
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