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Mécanisme pour les
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Decision on the Registrar's request for an appointment of a Single Judge to order the reclassification of exhibits, submitted by Judge on 15 February 2016			

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Mechanism for International Criminal Tribunals

Case No.: MICT-13-58
Date: 15 February 2016
Original: English

BEFORE A SINGLE JUDGE

Before: Judge Lee G. Muthoga
Registrar: Mr. John Hocking
Decision of: 15 February 2016

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

PUBLIC

DECISION ON THE REGISTRAR'S REQUEST
FOR AN APPOINTMENT OF A SINGLE JUDGE
TO ORDER THE RECLASSIFICATION OF EXHIBITS

I, LEE G. MUTHOGA, Judge of the International Residual Mechanism for Criminal Tribunals (“Mechanism”) and Single Judge in this case;¹

BEING SEISED OF the “Registrar’s Request for Appointment of Single Judge to Order the Reclassification of Exhibits”, filed confidentially and *ex parte* on 2 February 2016 (“Request”), in which the Registrar requests the reclassification of three exhibits, and their translations, in the case of *Prosecutor v. Slobodan Milošević*, Case No. IT-02-54 (“*Milošević Case*”);²

NOTING that the Registrar submits that confidential information revealing the identity of a protected witness has been identified in the public record of the *Milošević Case*;³

NOTING that, in order to remove this information from the public domain, the Registrar requests a public judicial order to reclassify exhibits C20.1, C20.2, and C20.3 in the *Milošević Case*, and their translations, from public to confidential;⁴

CONSIDERING that, under Rule 86(A) of the Mechanism’s Rules of Procedure and Evidence (“Rules”), a Single Judge may 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 protective measures in effect, but rather seeks to ensure their full implementation;

FINDING that the requested reclassification is necessary to ensure the full implementation of protective measures in effect;

PURSUANT TO Article 20 of the Mechanism’s Statute and Rules 55 and 86(A) of the Rules;

GRANT the Request; and

ORDER:

(i) the Registrar to reclassify exhibits C20.1, C20.2, and C20.3 in the *Milošević Case*, and their translations, from public to confidential;

(ii) that any person or organisation, including media organisations, in possession of exhibits C20.1, C20.2, and C20.3 in the *Milošević Case*, whether in whole or in part, is enjoined from disclosing them to any other person or organisation as of the filing date of this Order,

¹ Order Assigning a Single Judge to Consider Registrar’s Request, 5 February 2016 (confidential and *ex parte*), p. 1.

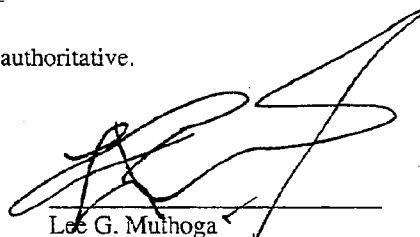
² Request, paras. 1, 6, 7.

³ Request, paras. 3-5.

and is warned that any such disclosure may result in proceedings for contempt by the Mechanism against the disclosing persons or organisations.

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

Done this 15th of February 2016,
At The Hague,
The Netherlands.



Lee G. Muthoga
Single Judge

[Seal of the Mechanism]

⁴ Request, paras. 1, 6, 7.



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