

UNITED  
NATIONS

MICT-14-71  
DSG-DS4  
19 June 2014

SG  
ML



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”);<sup>1</sup>

**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;<sup>2</sup>

**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;<sup>3</sup>

**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;

---

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

<sup>2</sup> Request, paras 4-5.

<sup>3</sup> 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]**