

IT-06-90-T
D36946-D36945
26 August 2010

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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-06-90-T
Date: 26 August 2010
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Uldis Ķiniš
Judge Elisabeth Gwaunza

Registrar: Mr John Hocking

Order of: 26 August 2010

PROSECUTOR

v.

ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ

PUBLIC

ORDER MAKING PUBLIC THE CHAMBER'S "DECISION ON ČERMAK'S
MOTION TO AMEND THE TERMS AND CONDITIONS OF HIS PROVISIONAL
RELEASE" OF 5 AUGUST 2010

Office of the Prosecutor

Mr Alan Tieger

Counsel for Ante Gotovina

Mr Luka Mišetić
Mr Gregory Kehoe
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay, QC
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić
Mr Tomislav Kuzmanović

TRIAL CHAMBER I 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 (“Chamber”);

RECALLING the Decision on Čermak’s Motion to Amend the Terms and Conditions of his Provisional Release (“Decision”), issued confidentially on 5 August 2010;

NOTING that the Decision was issued confidentially because of the fact that Mr Čermak’s provisional release was confidential;

NOTING the Chamber’s public redacted version of the Decision on Ivan Čermak’s Motion for Provisional Release Pursuant to Rules 54 and 65, dated 9 July 2010, issued on 26 August 2010, after his return from provisional release;

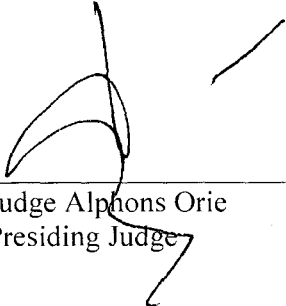
CONSIDERING Article 20 (4) of the Statute of the Tribunal and Rule 78 of the Tribunal’s Rules of Procedure and Evidence (“Rules”) require the proceedings before the Tribunal to be public unless otherwise provided for in the Rules;

CONSIDERING that the Čermak Defence, after an informal inquiry by the Chamber, did not advance any reasons for keeping the Decision confidential after Mr Čermak’s return from provisional release;

FINDING therefore that the information contained in the Decision need no longer remain confidential;

HEREBY ORDERS the Registry to change the status of the Decision from confidential to public.

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



Judge Alphons Orié
Presiding Judge

Dated this 26 day of August 2010
At The Hague
The Netherlands

[Seal of the Tribunal]