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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-98-32/1-A  
Date: 16 June 2011  
Original: English

**BEFORE THE PRE-APPEAL JUDGE**

**Before:** Judge Mehmet Güney, Pre-Appeal Judge  
**Registrar:** Mr. John Hocking  
**Order of:** 16 June 2011

**PROSECUTOR**

v.

**MILAN LUKIĆ  
SREDOJE LUKIĆ**

***PUBLIC***

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**ORDER ON DISCLOSURE OF PORTIONS OF  
PRIVATE/CLOSED SESSION TRANSCRIPTS**

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**The Office of the Prosecutor:**

Mr. Paul Rogers

**Counsel for Milan Lukić:**

Mr. Tomislav Višnjić  
Mr. Dragan Ivetić

**Counsel for Sredoje Lukić:**

Mr. Đuro J. Čepić  
Mr. Jens Dieckmann



whereby certain open session sections of testimony were due to be redacted ("Post-Session Redactions"), have not yet been implemented;

**NOTING** that no other post-session redaction orders have been made in respect of the Affected Transcripts;

**RECALLING** that by virtue of Rules 78 and 107 of the Rules, all proceedings before the Tribunal, other than deliberations, shall be held in public, unless otherwise provided;<sup>9</sup>

**CONSIDERING** that certain parts of private/closed session testimonies contained in the Affected Transcripts may be disclosed as outlined in the Annex, without revealing the identity of persons who have been granted protective measures;

**CONSIDERING** that the 22 January 2009 Order and the 20 July 2009 Decision should be set aside to the extent that they refer to the Affected Transcripts;

**NOTING** that in all other respects, the 22 January 2009 Order and the 20 July 2009 Decision will remain effective;

**ORDER** the parties to inform the Appeals Chamber by 15 July 2011 should they consider that any portion of the Affected Transcripts, which will otherwise become accessible to the public pursuant to this order, warrant confidential status, and, if no such submission is made;

**INSTRUCT** the Registry to implement, as soon as practicable after 15 July 2011 in the absence of any party submission, the changes set out in the Annex to this order, and, subject to the Post-Session Redactions, to make the open session portions of the Affected Transcripts available to the public.

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27 August 2008, relating to T. 687 (lines 14-21); *Prosecutor v. Milan Lukić and Sredoje Lukić*, Case No. IT-98-32/1-T, Order to Redact the Public Transcript and the Public Broadcast of a Hearing, filed confidentially on 27 August 2008, relating to T. 689 (lines 3-14).

<sup>8</sup> *Prosecutor v. Milan Lukić and Sredoje Lukić*, Case No. IT-98-32/1-T, Order to Redact the Public Transcript and the Public Broadcast of a Hearing, filed confidentially on 5 September 2008, relating to T. 828 (lines 12-17).

<sup>9</sup> See *Prosecutor v. Milomir Stakić*, Case No. IT-97-24-A, Decision on the Defence Motion for Extension of Time, 26 April 2004, para. 7.

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



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Judge Mehmet Güney,  
Pre-Appeal Judge

Dated this sixteenth day of June 2011  
At The Hague,  
The Netherlands

**[Seal of the Tribunal]**

## Annex

In the transcript of 5 September 2008, the following shall be changed from confidential to public status:

- the section from page 1252, line 3 (starting with “And of course”), to page 1252, line 25 (ending with “for a”);
- the section from page 1314, line 1 (starting with “So then”), to page 1314, line 2 (ending with “leave.”);
- the section from page 1314, line 3 (starting with “so I”), to page 1320, line 8 (ending with “number 84...”);

In the transcript of 3 September 2008, the following shall be changed from confidential to public status:

- the section from page 1046, line 11 (starting with “I’m going”), to page 1048, line 21 (ending with “objection”);
- the section from page 1073, line 1 (starting with “confirmed its”), to page 1076, line 7 (ending with “alert to”);

In the transcript of 1 September 2008, the following shall be changed from confidential to public status:

- the section from page 893, line 1 (starting with “JUDGE ROBINSON: Very well.” to page 894, line 25 (ending with “police force.”);
- the section from page 943, line 24 (starting with “To go”), to page 944, line 19 (ending with “Vasiljevic.”);
- the section from page 945, line 4 (starting with “Could you”), to page 947, line 25 (ending with “Thank you”);
- the section from page 951, line 7 (starting with “Witness VG-38”), to page 952, line 22 (ending with “Yes.”);
- the section from page 953, line 21 (starting with “Yes, Mr. Ossogo”), to page 956, line 20 (ending with “Your Honour.”);

In the transcript of Friday 29 August 2008; the following shall be changed from confidential to public status:

- the section from page 780, line 1 (starting with "Q. Yes,"), to page 782, line 14 (ending with "house.");
- the section from page 782, line 14 (starting with "I was on"), to page 783, line 1 (ending with "group");
- the section from page 783, line 16 (starting with "Q. You claim"), to page 784, line 12 (ending with "Yes, I can");
- the section from page 784, line 21 (starting with "Q. Madam"), to page 784, line 25 (ending with "survivors.");

In the transcript of Thursday 28 August 2008, the following shall be changed from confidential to public status:

- the section from page 694, line 1 (starting with "where you"), to page 695, line 6 (ending with "visit you,");
- the section from page 695, line 9 (starting with "Q. What"), to page 695, line 25 (ending with "much.");
- the section from page 698, line 5 (starting with "I soon"); to page 698, line 24 (ending with "Aljic");
- the section from page 699, line 1 (starting with "Q. Could you"), to page 699, line 4 (ending with "Subasics,");
- the section from page 699, line 5 (starting with "Pasan and Aisa Subasic"), to page 699, line 5 (ending with "were");
- the section from page 699, line 5 (starting with "nearby"), to page 699, line 5 (ending with "Bikavac");
- the section from page 699, line 6 (starting with "Those two - -"), to page 699, line 11 (ending with "living in");
- the section from page 699, line 12 (starting with "I went"), to page 699, line 24 (ending with "Aljic");

- the section from page 699, line 25 (starting with “And then”), to page 700, line 1 (ending with “plum trees”);
- the section from page 700, line 13 (starting with “Now, Mr. Ossogo”), to page 701, line 10 (ending with “Aljic?”);
- the section from page 701, line 12 (starting with “from where”), to page 701, line 21 (ending with “very well”);
- the section from page 701, line 21 (starting with “Among them”), to page 702, line 3 (ending with “Simsic”);
- the section from page 702, line 3 (starting with “an”), to page 702, line 6 (ending with “there.”);
- the section from page 702, line 7 (starting with “he”), to page 702, line 19 (ending with “there.”);
- the section from page 702, line 21 (starting with “I don’t know”), to page 703, line 1 (ending with “very well”);
- the section from page 703, line 1 (starting with “who”), to page 703, line 13 (ending with “please.”);
- the section from page 703, line 15 (starting with “It was”), to page 703, line 18 (ending with “pseudonym.”);
- the section from page 703, line 20 (starting with “A. Can I proceed?”), to page 703, line 22 (ending with “Turjacanin”);
- the section from page 703, line 23 (starting with “Zehra”) to page 703, line 24 (ending with “Djulka Turjacanin”);
- the section from page 703, line 24 (starting with “and she”) to page 704, line 3 (ending with “Aljic”);
- the section from page 704, line 6 (starting with “You may”) to page 704, line 9 (ending with “on”);

- the section from page 704, line 9 (starting with “and”) to page 704, line 14 (ending with “public.”);
- the section from page 704, line 16 (starting with “THE REGISTRAR: We are”) to page 704, line 25 (ending with “Aljic.”);
- the section from page 705, line 1 (starting with “So”) to page 705, line 7 (ending with “very well”);
- the section from page 705, line 8 (starting with “So of”) to page 705, line 18 (ending with “and”);
- the section from page 705, line 18 (starting with “Turjacinin”) to page 706, line 15 (ending with “this dramatic event occurred.”);
- the section from page 712, line 9 (starting with “Q. Witness VG-115”) to page 713, line 21 (ending with “a pretty girl.”);
- the section from page 716, line 3 (starting with “MR. OSSOGO: [Interpretation]”) to page 719, line 4 (ending with “this woman?”);
- the section from page 719, line 7 (starting with “He needed”) to page 719, line 23 (ending with “accountancy service.”);
- the section from page 719, line 23 (starting with “Amela Gacka”) to page 720, line 6 (ending with “brother”);
- the section from page 720, line 8 (starting with “Q. You say”) to page 722, line 13 (ending with “person.”);
- the section from page 720, line 14 (starting with “I knew”) to page 720, line 20 (ending with “Republika Srpska.”);
- the section from page 722, line 24 (starting with “Q. And --”) to page 723, line 8 (ending with “The Avenger.”);
- the section from page 723, line 10 (starting with “Q. I haven’t said”) to page 723, line 16 (ending with “justice.”);

- the section from page 724, line 12 (starting with “A. I say to you”) to page 724, line 15 (ending with “now.”);
- the section from page 724, line 16 (starting with “I fear them”) to page 724, line 25 (ending with “Lukic,”)
- the section from page 725, line 1 (starting with “Visegrad”) to page 725, line 12 (ending with “hate you.”);
- the section from page 725, line 13 (starting with “that you”) to page 725, line 19 (ending with “crimes,”);
- the section from page 725, line 19 (starting with “is not”) to page 725, line 24 (ending with “leave town,”);
- the section from page 726, line 1 (starting with “Q: Ma’am”) to page 727, line 10 (ending with “Visegrad.”);
- the section from page 727, line 14 (starting with “Q. Now,”) to page 728, line 14 (ending with “returning”);
- the section from page 728, line 14 (starting with “and”) to page 729, line 2 (ending with “returning”);
- the section from page 729, line 3 (starting with “via the”) to page 730, line 7 (ending with “back”);
- the section from page 730, lines 7/8 (starting with “and on”) to page 731, line 2 (ending with “centre”);
- the section from page 731, line 2 (starting with “so I”) to page 731, line 4 (ending with “people.”);
- the section from page 731, line 7 (starting with “Don’t take”) to page 731, line 10 (ending with “care.”);
- the section from page 731, line 20 (starting with “And the”) to page 731, line 22 (ending with “their job”);

- the section from page 731, line 22 (starting with “I couldn’t”) to page 732, line 5 (ending with “12, please.”);
- the section from page 732, line 8 (starting with “JUDGE ROBINSON: Thank you”) to page 733, line 14 (ending with “he’d been a local”);
- the section from page 733, line 14 (starting with “and he was”) to page 739, line 3 (ending with “man”);
- the section from page 739, line 6 (starting with “Similarly, as”) to page 739, line 24 (ending with “people”);
- the section from page 739, line 25 (starting with “A. Yes,”) to page 740, line 2 (ending with “man.”);
- the section from page 744, line 12 (starting with “Mr. Alarid”) to page 745, line 21 (ending with “time.”);
- the section from page 760, line 23 (starting with “Q. Where”) to page 762, line 22 (ending with “Very well, yes.”);

In the transcript of Wednesday 27 August 2008, the following shall be changed from confidential to public status:

- the section from page 671, line 14 (starting with “Q. I’d like”) to page 672, line 20 (ending with “town.”);
- the section from page 673, line 1 (starting with “Q. We will”) to page 673, line 4 (ending with “you answered”);
- the section from page 673, line 7 (starting with “He was shocked”) to page 673, line 9 (ending with “him.”);
- the section from page 673, line 10 (starting with “That’s it.”) to page 674, line 17 (ending with “yes.”);
- the section from page 675, line 5 (starting with “A. They were”) to page 675, line 7 (ending with “first floor;”);

- the section from page 675, line 9 (starting with “So they”) to page 675, line 13 (ending with “been given.”);
- the section from page 680, line 1 (starting with “Nearby,”) to page 680, line 9 (ending with “Veletovac”);
- the section from page 680, line 11 (starting with “Q. Witness VG-115”) to page 680, to page 680, line 16 (ending with “very much.”); and
- the section from page 680, line 17 (starting with “to the best”) to page 682, line 4 (ending with “them away.”).