



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations
of International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-94-1-T
Date: 16 June 1995
Original: English and French

IN THE TRIAL CHAMBER

Before: Judge McDonald, Presiding
Judge Stephen
Judge Vohrah

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 16 June 1995

THE PROSECUTOR

v.

DUSKO TADIC a/k/a/ "DULE"

ORDER FOR CLOSED SESSION

The Office of the Prosecutor:

Mr. Grant Niemann Ms. Brenda Hollis
Mr. Alan Tieger Mr. William Fenrick
Mr. Michael Keegan

Counsel for the Accused:

Mr. Michail Wladimiroff
Mr. Milan Vujin
Mr. Krstan Simic

THE TRIAL CHAMBER

HAVING CONSIDERED the application filed on 14 June 1995 by the Office of the Prosecutor requesting that the hearing of its motion concerning protective measures for victims and witnesses set down for 21 June 1995 be held in camera, and the response thereto filed by the defence on 16 June 1995, and

CONSIDERING it appropriate to grant relief for the following reasons:

on 18 May 1995 the Office of the Prosecutor filed a motion asking this Trial Chamber to order specific protective measures for certain witnesses and general protective measures for all witnesses who are victims of the conflict in the former Yugoslavia;

the hearing set down for 21 June 1995 is for the purpose of determining what, if any, protective measures requested by the prosecution will be ordered;

during the hearing, information concerning these victims and witnesses may be referred to or elicited which could be used to identify the persons for whom protective measures are sought;

disclosure of such information to the public and press at an open hearing of the application for protective measures for victims and witnesses may result in identification of victims and witnesses whose identity this Trial Chamber may subsequently determine should be protected from disclosure;

disclosure of such information to the public and press at an open hearing may endanger the privacy and security of victims and witnesses;

the application for an in camera hearing on this matter is consistent with Rules 75(B) and 79(A)(ii);

the application is consistent with the rights of the accused;

the application is necessary for reasons of safety, security or non-disclosure of the identity of victims or witnesses as provided in Rule 75; and

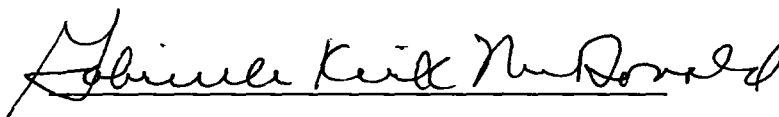
the application is not opposed by the defence, other than to assert that the *amicus curiae* should not be given leave to appear in camera,

PURSUANT TO Rule 75 (B) and Rule 79 (A) (ii),

HEREBY ORDERS:

- (1) the hearing of the prosecution motion for protective measures for victims and witnesses, set down for 21 June 1995 at 10 a.m., shall be in closed session;
- (2) only counsel of record shall be admitted to such session;

- (3) the two *amicus curiae* briefs filed pursuant to orders dated 1 June 1995 and 14 June 1995 will be considered by the Trial Chamber in written format only and thus it is not necessary to admit the authors of those briefs to this session;
- (4) pursuant to Rule 81 (A), video and audio recordings of the hearing will be made for the purposes of the record, however, such record shall not be released until further order of the Trial Chamber.



Gabrielle Kirk McDonald
Presiding Judge

Dated this sixteenth day of June, 1995
At The Hague
The Netherlands

[Seal of the Tribunal]