



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: 25 June 1997  
Original: ENGLISH

**IN THE TRIAL CHAMBER**

**Before:** Judge Gabrielle Kirk McDonald, Presiding  
Judge Ninian Stephen  
Judge Lal C. Vohrah

**Registrar:** Mrs. Dorothee de Sampayo, Registrar

**Order of:** 25 June 1997

**PROSECUTOR**

v.

**DUŠKO TADIĆ a/k/a "DULE"**

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**ORDER REGARDING DEFENCE'S REQUEST FOR THE  
PROTECTION OF WITNESSES**

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**The Office of the Prosecutor:**

**Mr. Grant Niemann  
Mr. Michael Keegan  
Ms. Brenda Hollis**

**Counsel for the Accused:**

**Mr. Milan Vujin  
Mr. Nikola Kostich**

**TRIAL CHAMBER II,**

**HAVING CONSIDERED** the Request for the Protection of Witnesses filed by the Defence on 23 June 1997 (Registry Page ("RP") nos. D 17929-17928) in which the Defence asks that witnesses Mr. Ljubomir Tadić, Mr. Mile Čavić, Mr. Nikola Petrović, Mr. Slobodan Radulja and Mr. Verček Pavle, " should be guaranteed that they will not be arrested and kept during their stay in the Hague while delivering their statements and that the (y) will be enabled to return home safely", and which is interpreted by the Trial Chamber as a request for an order of safe conduct for the abovenamed witnesses;

**NOTING** that Mr. Nikola Petrović's name does not appear on the Defence's Notice of Sentencing Witnesses dated 9 June 1997;

**NOTING** that Counsel has not contacted the Victims and Witnesses Unit to ask for assistance in making the necessary arrangements for the transport of Mr. Slobodan Radulja and Mr. Mile Čavić as directed by our Order of 12 June 1996;

**NOTING** the Response to the Defence Request for the Protection of the Witnesses filed by the Prosecutor on 24 June 1997 (RP nos. D17942-D17937) in which the Prosecutor opposes the Defence Motion and requests the Trial Chamber, if they decided to grant the request, to limit the period of the safe conduct for these witnesses;

**NOTING** the decisions of this Trial Chamber dated 25 June 1996 (RP nos. D9162-D9148), 16 August 1996 ( RP nos. D12006 - D11994) and 20 September 1996 (RP nos. D13261 - D13254) in which a safe conduct was provided for a total of fourteen (14) witnesses for the Defence to secure their attendance at the seat of the International Tribunal for the trial proceedings;

**NOTING** that protective measures are sought for five (5) persons only;

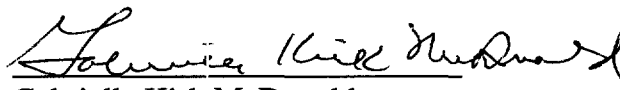
**HEREBY**

DECIDES that it is in the interests of justice to grant the Request of the Defence notwithstanding the failure of the Defence to satisfy fully the pre-requisites for a request for an order of safe conduct,

DECIDES that the conditions with regard to the safe conduct set forth in our decisions of 25 June 1996 and 16 August 1996 shall apply to Mr. Ljubomir Tadić, Mr. Mile Čavić, Mr. Nikola Petrović, Mr. Slobodan Radulja and Mr. Pavle Verček but with the exception of the time period for their immunity which shall commence seven (7) days before the abovenamed witnesses are to appear before this Trial Chamber and cease when the witnesses, having had for a period of seven (7) consecutive days from the date when their presence is no longer required by the International Tribunal an opportunity of leaving, have nevertheless remained in the Netherlands, or having left it, have returned;

DECIDES that the failure on the part of the Defence to comply with the Order of 12 June 1997, prevents the Victims and Witnesses Unit from assuming responsibility for the transportation of Mr. Mile Čavić and Mr. Slobodan Radulja.

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

  
Gabrielle Kirk McDonald  
Presiding Judge

Dated this 25th day of June 1997  
At The Hague  
The Netherlands

[Seal of the Tribunal]