



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-95-14/1-PT

Date: 25 September 1997
English

Original: French

IN THE TRIAL CHAMBER

Before: Judge Claude Jorda, Presiding
Judge Fouad Riad
Judge Mohamed Shahabuddeen

Registrar: Mr. Jean-Jacques Heintz, Deputy Registrar

Order of: 25 September 1997

THE PROSECUTOR

v.

ZLATKO ALEKSOVSKI

**DECISION ON THE MOTION OF THE PROSECUTOR FOR THE
TAKING OF DEPOSITIONS**

The Office of the Prosecutor:

Mr. Grant Niemann
Mr. Michele Marchesiello
Mr. Anura Meddegoda

Defence Counsel:

Mr. Goran Mikuličić

TRIAL CHAMBER I,

CONSIDERING the Motion of the Prosecutor dated 5 June 1997,

PURSUANT to Rules 71 and 75 of the Rules of Procedure and Evidence (hereinafter “the Rules”);

HAVING HEARD the arguments of the parties at the hearing of 1 August 1997,

CONSIDERING that in her Motion of 5 June 1997, the Prosecutor requested that the Trial Chamber authorise for use at the hearing the deposition testimony of certain witnesses also called to testify in the case *The Prosecutor v. Tihomir Blaškić*,

CONSIDERING that the Prosecutor also requested that the Trial Chamber order the accused, his Counsel and their representatives acting in accordance with their instructions or at their request not to disclose to the public or to the media the identity of those witnesses (attachment 1 of the Prosecutor’s Motion) as well as the information in respect of the subjects about which the Prosecutor wishes to question them (attachment 2 of the Prosecutor’s Motion),

CONSIDERING that the reasons invoked by the Prosecutor in support of her Motion are sufficient to justify the granting of the measures requested for the purpose of good administration of justice,

CONSIDERING that, in addition, the Trial Chamber noted the agreement of the parties on both these points at the hearing of 1 August 1997,

FOR THE FOREGOING REASONS

DECIDES that the Prosecutor's Motion shall be granted and that, through the Registrar, she shall, at the appropriate time, inform the Trial Chamber:

- the depositions shall be taken when the witnesses are in The Hague to testify in the case *The Prosecutor v. Tihomir Blaškić*;

- the Prosecutor shall inform the Defence and the Trial Chamber of her intention to take the witnesses' depositions within fourteen days at the latest before the date provided for so doing;

DECIDES that the accused, his Counsel and their representatives acting in accordance with their instructions or at their request shall not disclose to the public or to the media the names of the witnesses whose depositions are taken nor the information mentioned in attachments 1 and 2 of the Prosecutor's Motion except for reasons absolutely necessary for preparing the defence; and decides that any possible disclosure shall, as far as possible, limit the risk of the witness' identity being disclosed to the public or to the media.

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

Done this twenty-fifth day of September 1997
At The Hague
The Netherlands

Claude Jorda
Presiding Judge, Trial Chamber I

(SEAL OF THE TRIBUNAL)