



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-95-13a-T

Date: 22 May 1998

Original: English

IN THE TRIAL CHAMBER

Before: Judge Antonio Cassese, Presiding
Judge Richard May
Judge Florence Ndepele Mwachande Mumba

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 22 May 1998

PROSECUTOR

v.

**MILE MRKŠIĆ
MIROSLAV RADIĆ
VESELIN ŠLJIVANČANIN
SLAVKO DOKMANOVIĆ**

DECISION ON DEFENCE MOTION FOR VIDEO LINK CONFERENCE

The Office of the Prosecutor:

**Mr. Grant Niemann
Mr. Clint Williamson**

**Mr. Stefan Wäspi
Ms. Ann Sutherland**

Counsel for the Accused:

Mr. Toma Fila and Mr. Vladimir Petrović, for Slavko Dokmanović

THE TRIAL CHAMBER

BEING SEISED OF the Defence Motion For Video Link Conference filed on 20 May 1998 (“the Motion”), requesting that one additional witness who will testify on behalf of the Defence be permitted to do so by means of a video-conference link,

NOTING THAT the Office of the Prosecutor (“Prosecution”) has confirmed that it has no objection to the use of video-conference link in respect of this witness,

CONSIDERING that the Trial Chamber prefers that witnesses be heard directly whenever possible,

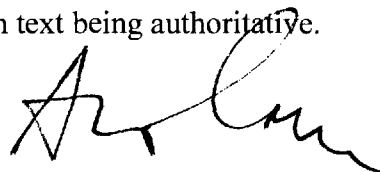
CONSIDERING that the Defence has established that the testimony of this witness is sufficiently important as to make it unfair to proceed without it and that the witness is unable or unwilling for good reason to come to the International Tribunal,

CONSIDERING that guidelines for the giving of evidence by video-conference link have been laid down in the Decision on the Defence Motions to Summons and Protect Defence Witnesses, and on the Giving of Evidence by Video-Link, issued by Trial Chamber II in *Prosecutor v. Duško Tadić*, Case No. IT-94-1, 25 June 1996 (“the Tadić Decision”),

PURSUANT TO Rules 75 and 90 of the Rules of Procedure and Evidence of the International Tribunal

HEREBY GRANTS the Motion, ORDERS that the witness named in the Motion may give testimony through video-conference link provided that the necessary equipment can be made available to the International Tribunal and DIRECTS the Registrar to take all reasonable steps in the circumstances of the present case to ensure that the guidelines established in the Tadić Decision are followed.

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



Antonio Cassese
Presiding Judge

Dated this twenty-second day of May 1998
At The Hague
The Netherlands

[Seal of the Tribunal]