



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-95-17/1-T
Date: 10 December 1998
Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 10 December 1998

PROSECUTOR

v.

ANTO FURUNDŽIJA

ORDER

The Office of the Prosecutor:

Ms. Brenda Hollis
Ms. Patricia Viseur Sellers
Mr. Micheal Blaxill

Counsel for the Accused:

Mr. Luka Misić
Mr. Sheldon Davidson

THIS TRIAL CHAMBER of the International Criminal Tribunal for the Former Yugoslavia (“the Tribunal”);

BEING SEISED of the request of Trial Chamber I found in the “Decision on the Motion of the Accused for Access to Non-Public Materials in the Lašva Valley and Related Cases” (“the Decision”), filed on 12 November 1998 in the case of *Prosecutor v. Kordić et al.*(IT-95-14/2-PT);

CONSIDERING the orders and decisions of this Chamber granting protective measures to witnesses in this case;

CONSIDERING THAT witnesses, once they have taken the Solemn Declaration pursuant to Rule 90 (B) of the Rules of Procedure and Evidence, become witnesses of truth before the Tribunal and are not strictly witnesses for either Party;

CONSIDERING the Trial Chamber’s ongoing duty to protect its witnesses;

CONSIDERING that the Trial Chamber needs further information regarding its witnesses before it is able to respond to the request found in the Decision;


PURSUANT TO Rule 54 and Rule 75 of the Rules of Procedure and Evidence of the Tribunal

HEREBY DECIDES

- (a) to request the Victims and Witnesses Section of the International Tribunal to make investigations and seek the consent of those protected witnesses in this case with the pseudonyms A through E, to have redacted transcripts of their closed-session testimony released to the accused and defence counsel in other pending and future cases before the Tribunal;
- (b) that the Victim and Witnesses Section should report to the Trial Chamber as soon as it has completed its investigations, and in any case no later than by 29 January 1999;

(c) stays a further response in this matter pending the outcome of these investigations.

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



Florence Ndepele Mwachande Mumba
Presiding Judge

Dated this tenth day of December 1998
At The Hague,
The Netherlands.

[Seal of the Tribunal]