



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-95-14-T

12 April 1999
English
Original: French

IN THE TRIAL CHAMBER

Before: Judge Claude Jorda, Presiding
Judge Mohamed Shahabuddeen
Judge Almiro Simões Rodrigues

Registrar: Mr. Jean-Jacques Heintz, Deputy Registrar

Decision of: 12 April 1999

THE PROSECUTOR

v.

TIHOMIR BLAŠKIĆ

THIRD ADDITIONAL ORDER FOR A WITNESS TO APPEAR

The Office of the Prosecutor

Mr. Mark Harmon
Mr. Andrew Cayley
Mr. Gregory Kehoe

Defence Counsel:

Mr. Anto Nobilo
Mr. Russell Hayman

**Counsel for the Republic of
Croatia**

Mr. David B. Rivkin Jr.
Mr. Lee A. Casey

TRIAL CHAMBER I of the 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,

CONSIDERING the Request of the Republic of Croatia filed on 20 November 1998 (hereinafter "Croatia") that the date of the hearing scheduled for 26 November 1998 be changed (hereinafter "the Request"),

CONSIDERING the Order for a witness to appear issued by the Trial Chamber on 5 November 1998,

CONSIDERING the further Order for a witness to appear issued by the Trial Chamber on 25 November 1998,

CONSIDERING the second further Order for a witness to appear issued by the Trial Chamber on 12 March 1999,

CONSIDERING the hearing of 19 March 1999 during which Major Stepan Udiljak, assisted by Mr. Marin Ivanović, appeared with a representative of the Republic of Croatia,

PURSUANT to Article 29 of the Statute of the Tribunal and Rule 54 of the Rules of Procedure and Evidence,

NOTING that the Trial Chamber informed Major Stepan Udiljak that he should appear again before it to present more precisely the responses and arguments of his Government further to the orders for the production of documents issued by the Trial Chamber on 30 January 1998 and 21 July 1998; that Counsel for Croatia informed the Trial Chamber that the hearing might be held on 15 and 16 April, dates which, as the case stands, the Trial Chamber considers convenient,

FOR THE FOREGOING REASONS,

ORDERS that an *ex parte* hearing be held on 15 April at 14.30 hours to allow the appearance of Major Stepan Udiljak (hereinafter “the Witness”) before the Trial Chamber with the Prosecutor present,

STATES that a qualified representative of the Republic of Croatia may be present at the hearing and, under the supervision of the Trial Chamber, may take the floor and **STATES** that the Witness may be assisted in the courtroom by Mr. Marin Ivanović,

STATES that, at the request of the Prosecutor, the representative of Croatia or the Witness, the hearing may be closed to the public and **STATES** that the Witness or the representative of Croatia may request that the Trial Chamber conduct the proceedings without the Prosecutor being present,

STATES that, if necessary, the hearing will continue on 16 April 1999,

REQUESTS that the Registrar transmit a copy of this Order to the Embassy of the Republic of Croatia in The Netherlands and to any authority which may permit or facilitate the arrival in The Hague of Major Udiljak, his assistant and the representative of the Republic of Croatia, should that be necessary.

Done this twelfth day of April 1999
At The Hague
The Netherlands

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

(signed)

Claude Jorda
Presiding Judge, Trial Chamber I

(SEAL OF THE TRIBUNAL)