



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-02-54-PT  
Date: 18 February 2002  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Richard May, Presiding  
Judge Patrick Robinson  
Judge O-Gon Kwon

**Registrar:** Mr. Hans Holthuis

**Order of:** 18 February 2002

**PROSECUTOR**

v.

**SLOBODAN MILOŠEVIĆ**

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**FINAL ORDER ON PROSECUTION APPLICATION CONCERNING DISCLOSURE OF  
A BOOK PURSUANT TO RULE 66 (A)(i)**

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**The Office of the Prosecutor**

Ms. Carla Del Ponte  
Mr. Geoffrey Nice

Ms. Hildegard Uertz-Retzlaff  
Mr. Dermot Groome

**The Accused**

Slobodan Milošević

**Amici Curiae**

Mr. Steven Kay, QC  
Mr. Branislav Tapušković  
Prof. Mischa Wladimiroff

**THIS TRIAL CHAMBER** 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 (“International Tribunal”),

**BEING SEISED** of a “Prosecution Motion for Permission to Disclose Material Discoverable Pursuant to Rule 66(A)(i) in English”, filed by the Office of the Prosecutor (“Prosecution”) on 4 February 2002 (“the Motion”), in which the Prosecution seeks to be deemed to have complied with its obligation to disclose a book<sup>1</sup> which formed part of the Confirmation Materials for indictment number IT-01-51-PT<sup>2</sup> by disclosing the book to the accused in English,

**NOTING** the “Provisional Order on Prosecution Application Concerning Disclosure of a Book Pursuant to Rule 66 (A)(i)” issued by the Pre-Trial Judge on 7 February 2002 (“Provisional Order”), in which he ordered the Prosecution to provide the Trial Chamber with a copy of the book and remained seized of the Motion,

**NOTING** that the Trial Chamber incorporates the issues for consideration set out in the Provisional Order,

**CONSIDERING** that the book is not currently available in the BCS language, that there are considerable resource implications involved in its translation into the BCS language and that the book is comprised largely of captions, lists of place names and pictures (rather than continuous text),

**CONSIDERING** that the accused has shown an ability to work at least to a limited extent in the English language and that, with respect this particular document, not disclosing the book to the accused in the BCS language will not impede the right and full opportunity for him to prepare his defence,

**CONSIDERING** that as a very limited exception to the Prosecution’s obligations under Rule 66 (A) concerning disclosure, the Trial Chamber is willing in this instance to waive this obligation,

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<sup>1</sup> The book, from the Croatia Information Centre, is entitled “Croatia and Bosnia-Herzegovina – Sacral Institutions on Target; Deliberate Military Destruction of the Sacral Institutions in Croatia and Bosnia-Herzegovina” (hereafter “the book”).

<sup>2</sup> This case number is now merged with the other *Prosecutor v. Milošević* cases to be Case No. IT-02-54-PT.  
Case No. IT-02-54-PT

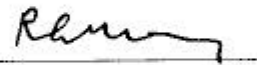
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**CONSIDERING HOWEVER** that the Trial Chamber will consider any application made by the accused in the future to have the book provided to him in the BCS language

**PURSUANT TO RULES 54 and 66 (A)(i)** of the Rules of Procedure and Evidence of the International Tribunal

**HEREBY GRANTS** the Motion.

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



Richard May  
Presiding Judge

Dated this eighteenth day of February 2002  
At The Hague  
The Netherlands

[Seal of the Tribunal]