

IT-98-30/1-A

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A 3335 - A 3333

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20 FEBRUARY 2003

**UNITED  
NATIONS**



**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: IT-98-30/1-A  
Date: 20 February 2003  
Original: English**

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**IN THE APPEALS CHAMBER**

**Before: Judge David Hunt, Pre-Appeal Judge**

**Registrar: Mr Hans Holthuis**

**Order of: 20 February 2003**

**PROSECUTOR**

**v**

**Miroslav KVOČKA  
Mlađo RADIĆ  
Zoran ŽIGIĆ  
Dragoljub PRCAĆ**

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**ORDER**

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**Counsel for the Prosecutor:  
Mr Christopher Staker**

**Defendant:  
Mr Zoran Žigić (un-represented)**

I, Judge David Hunt, Pre-Appeal Judge,

**NOTING** the “Prosecution Motion for Protective Measures”, dated 19 February 2003 (“Prosecution Motion”), in which the Prosecution requests the Appeals Chamber to order protective measures in relation to material disclosed to the Defence, including to Zoran Zigić (“Zigić”) who is now unrepresented in this appeal;

**CONSIDERING** that, before Zigić is in a position to respond, the Prosecution Motion will need to be translated into BCS;

**NOTING** that Zigić is not bound by the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 Rev 1);

**CONSIDERING** that it is reasonable to order temporary protective measures until the Appeals Chamber has had an opportunity to rule upon the Prosecution Motion;

**HEREBY ORDER** that, until a final order is made upon the Prosecution Motion, Zigić shall comply with the following protective measures:

- (1) Not reproduce or copy any of the CDs or paper documents provided by the Prosecution.
- (2) Print not more than a single copy of any document contained on any of the CDs.
- (3) Not disclose to the public, to the media or to family members and associates of the Appellant the names of witnesses, their whereabouts, copies of witness statements, the contents of their witness statements or any information which would permit or enable them to be identified unless absolutely necessary for the preparation of his appeal, and always with leave of the Appeals Chamber.
- (4) Not disclose to the public, to the media or to family members and associates any documentary or other evidence, or any written statement of a witness or the contents, in whole or in part, of any non-public evidence, statement or prior testimony.
- (5) Not contact any witness, either directly or through any third party, without first demonstrating to the Appeals Chamber the justification for contacting the witness, and further, that if such contact is granted by the Appeals Chamber, that the Prosecution be given a right to be present at any contact or interview, if the witness requests such presence.

- (6) Inform any person to whom disclosure of the confidential material in this case is made for the purposes of preparing the appeal that he or she is forbidden to copy, reproduce or publicise, in whole or in part, any non-public information or to disclose them to any other person, and further that, if any such person has been provided with such information, he or she must return to the Appellant and his counsel as soon as it is no longer needed for preparing and presenting his appeal.

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

Dated this 20<sup>th</sup> day of February 2003,  
At The Hague,  
The Netherlands.



David Hunt  
Pre-Appeal Judge

**[Seal of the Tribunal]**