



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-T  
Date: 2 July 2003  
Original: English

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**IN THE TRIAL CHAMBER**

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

**Registrar:** Mr. Hans Holthuis

**Order of:** 2 July 2003

**PROSECUTOR**

v.

**SLOBODAN MILOŠEVIĆ**

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**DECISION ON CONFIDENTIAL AND *EX PARTE* PROSECUTION MOTION  
FOR PROTECTIVE MEASURES FOR WITNESSES TESTIFYING  
DURING THE CROATIA PHASE OF THE TRIAL**

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**The Office of the Prosecutor**

Mr. Geoffrey Nice  
Ms. Hildegard Uertz-Retzlaff  
Mr. Dermot Groome

**The Accused**

Mr. Slobodan Milošević

**Amicus Curiae**

Mr. Steven Kay  
Mr. Branislav Tapušković  
Mr. Timothy McCormack

**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 (“the International Tribunal”),

**BEING SEISED** of a Confidential and *Ex Parte* Prosecution Motion for Protective Measures for Witnesses Testifying During the Croatia Phase of the Trial (“Motion”), filed by the Office of the Prosecutor (“Prosecution”) on 1 July 2003, seeking permission to call a witness under protective measures (“protected witness”),

**NOTING** that the protective measures sought in respect of the protected witness to be called, as set out in the Motion, are reasonable and should be granted,

**CONSIDERING** that the Trial Chamber is satisfied that it is in the interests of justice to permit the Prosecution to call the protected witness,

**PURSUANT TO** Rules 69, 75 and 79 of the Rules of Procedure and Evidence of the International Tribunal,

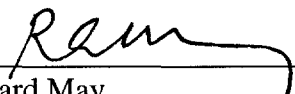
**HEREBY ORDERS** as follows:

- (1) The testimony of the protected witness shall be given by means of image distortion and the continued use of the pseudonym;
- (2) The pseudonym “C-1230” shall be used whenever referring to the protected witness in proceedings before the International Tribunal and in discussions among parties to the trial;
- (3) The public and the media shall not photograph, video-record or sketch the protected witness while on the premises of the International Tribunal;
- (4) All hearings to consider the issue of protective measures for the protected witness shall be held in closed session and only released to the public and to the media after review by the Prosecution, in consultation with the Victims and Witnesses Section;
- (5) The name, address, whereabouts and other identifying information concerning the protected witness shall be sealed and not included in any of the public records of the International Tribunal;

- (6) To the extent that the name, address, whereabouts or other identifying data concerning the protected witness are contained in existing public documents of the International Tribunal, that information shall be expunged from those documents;
- (7) The name, other identifying data and documents of the International Tribunal identifying the protected witness shall not be disclosed to the public or the media;
- (8) All material pertaining to the protected witness shall be returned to the Registry following the close of this proceeding; and
- (9) All provisions of this Decision shall apply equally to the *amici curiae*.

For the purpose of this decision, “the public” means and includes all persons, governments, organisations, entities, clients, associations and groups, other than the Judges of the International Tribunal, the staff of the Registry, the Prosecutor, and the accused and the *amici curiae*. “The public” also includes, without limitation, families, friends, and associates of the accused; the accused and defence counsel in other cases or proceedings before the International Tribunal; the media; and journalists.

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

  
Richard May  
Presiding

Dated this second day of July 2003  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**