

IT-02-54-T
D 25812 - D 25810
12 November 2003

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**UNITED
NATIONS**



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-02-54-T
Date: 12 November 2003
Original: ENGLISH

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Decision: 12 November 2003

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION MOTION FOR PROTECTIVE MEASURES
FOR WITNESS C-057**

Office of the Prosecutor:

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

Amici Curiae:

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

The Accused:

Mr. Slobodan Milošević

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 confidential and *ex parte* “Prosecution Motion for Protective Measures for Witness C-057”, filed by the Office of the Prosecutor (“Prosecution”) on 07 November 2003 (“Motion”), seeking the protective measures of continued use of a pseudonym and image- and voice-distortion,

CONSIDERING that the protective measures sought in respect of Witness C-057, as set out in the Motion, are reasonable and appropriate for the protection of Witness C-057,

CONSIDERING that the Trial Chamber is satisfied that the measures sought are consistent with the rights of the Accused,

PURSUANT TO Rule 75 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY ORDERS as follows:

- (1) The testimony of Witness C-057 shall be given with the continued use of the pseudonym and with image- and voice-distortion;
- (2) The name, address, whereabouts of and identifying data concerning Witness C-057 shall be sealed and not included in any of the public records of the International Tribunal;
- (3) To the extent that the name, address, whereabouts or other identifying data concerning Witness C-057 are contained in existing public documents of the International Tribunal, that information shall be expunged from those documents;
- (4) Documents of the International Tribunal identifying Witness C-057 shall not be disclosed to the public or the media;
- (5) The public and the media may not photograph, video-record or sketch Witness C-057 while on the premises of the International Tribunal;
- (6) All material pertaining to Witness C-057 shall be returned to the Registry following the close of this proceeding; and

- (7) All provisions of this Decision shall apply equally to the *amici curiae* and the legal associates of the Accused.

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 both English and French, the English text being authoritative.



Richard May
Presiding

Dated this 12th day of November 2003
At The Hague
The Netherlands

[Seal of the Tribunal]