



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: 21 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 of: 21 November 2003

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION MOTION FOR TRIAL RELATED PROTECTIVE
MEASURES FOR WITNESS B-1746**

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice
Mr. Dermot Groome

The Accused

Mr. Slobodan Milošević

Amici Curiae

Mr. Steven Kay, QC
Mr. Branislav Tapušković
Mr. Timothy L.H. 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 partly *ex parte* “Prosecution Motion for Trial Related Protective Measures for Witness B-1746”, filed on 19 November 2003, seeking the protective measures of image and voice distortion and private session for a specified portion of the testimony of the witness (“Motion”),

CONSIDERING that the protective measures sought in respect of the witness, as set out in the Motion, are reasonable and appropriate for the protection of the witness and the family of the witness,

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) Witness B-1746 may testify with the use of image and voice distortion;
- (2) Witness B-1746 may testify about specific matters as set out in the Motion in private session;
- (3) The name, address, whereabouts of and identifying data concerning Witness B-1746 shall be sealed and not included in any of the public records of the International Tribunal;
- (4) To the extent that the name, address, whereabouts or other identifying data concerning Witness B-1746 are contained in existing public documents of the International Tribunal, that information shall be expunged from those documents;
- (5) Documents of the International Tribunal identifying Witness B-1746 shall not be disclosed to the public or the media;
- (6) The public and the media may not photograph, video-record or sketch Witness B-1746 while on the premises of the International Tribunal;

- (7) The name of the witness or other identifying data concerning the witnesses shall not be disclosed by the Accused, his legal associates or the *amici curiae* to the public or media, except to the limited extent such disclosure is necessary to prepare for cross-examination of the witness.

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



Richard May
Presiding

Dated this twenty-first day of November 2003
At The Hague
The Netherlands

[Seal of the Tribunal]