



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-05-87-T
Date: 1 February 2007
Original: English

IN THE TRIAL CHAMBER

Before: Judge Iain Bonomy, Presiding
Judge Ali Nawaz Chowhan
Judge Tsvetana Kamenova
Judge Janet Nosworthy, Reserve Judge

Registrar: Mr. Hans Holthuis

Decision of: 1 February 2007

PROSECUTOR

v.

**MILAN MILUTINOVIĆ
NIKOLA ŠAINOVIĆ
DRAGOLJUB OJDANIĆ
NEBOJŠA PAVKOVIĆ
VLADIMIR LAZAREVIĆ
SRETEN LUKIĆ**

**DECISION ON PROSECUTION MOTION FOR
PROTECTIVE MEASURES FOR WITNESS K90**

Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

Counsel for the Accused

Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Mr. Milan Milutinović
Mr. Toma Fila and Mr. Vladimir Petrović for Mr. Nikola Šainović
Mr. Tomislav Višnjić and Mr. Norman Sepenuk for Mr. Dragoljub Ojdanić
Mr. John Ackerman and Mr. Aleksandar Aleksić for Mr. Nebojša Pavković
Mr. Mihajlo Bakrač and Mr. Đuro Čepić for Mr. Vladimir Lazarević
Mr. Branko Lukić and Mr. Dragan Ivetić for Mr. Sreten Lukić

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 (“Tribunal”) was seised of a confidential “Prosecution Motion for Trial-Related Protective Measures for Witness K79,” filed 26 January 2007 (“Motion”), requesting trial-related protective measures of image and voice distortion for witness K79,¹ and hereby confirms its oral ruling thereon.

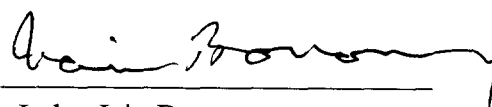
1. The Defence opposed the Motion;² and, on 31 January 2007, the Chamber heard oral argumentation regarding this matter.³ After having heard the parties and deliberating upon the matter, the Chamber granted the Motion during the hearing held on 1 February 2007.

2. The Trial Chamber, pursuant to Rules 53, 54, and 75 of the Rules of Procedure and Evidence of the Tribunal, hereby CONFIRMS its oral ruling and ORDERS as follows:

- (a) Witness K79 shall give his/her testimony with the use of image distortion.
- (b) Witness K79 shall give his/her testimony with the use of voice distortion.
- (c) All previously ordered protective measures in relation to this witness shall remain in force.

3. The Chamber hereby INSTRUCTS the Registry to take all necessary measures to implement this Decision.

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



Judge Iain Bonomy
Presiding

Dated this first day of February 2007
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ See also Confidential Supplement to Prosecution’s Motion for Trial-Related Protective Measures for Witness K79, 31 January 2007.

² Confidential Defence Response in Objection to Motion for Trial Related Protective Measures for Witness K79 from 26th of January 2007, 30 January 2007.

³ T. 5045, 5048–5050 (17 October 2006) (private session).