



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-03-67-PT

Date: 29 May 2007

Original: ENGLISH
French

BEFORE THE PRE-TRIAL JUDGE

Before: Judge Jean-Claude Antonetti

Registrar: Mr Hans Holthuis

Order of: 29 May 2007

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

ORDER REGARDING WITNESS PROTECTION

The Office of the Prosecutor:

Ms Christine Dahl
Mr Ulrich Müssemer
Mr Klaus Hoffman

The Accused:

Mr Vojislav Šešelj

I, **Jean-Claude Antonetti**, Judge 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”);

PROPRIO MOTU

NOTING the importance attributed to the protection of witnesses and victims in the Statute of the Tribunal, and in particular Article 20(1) which stipulates that the “Trial Chambers shall ensure that [...] proceedings are conducted in accordance with the rules of procedure and evidence, with [...] due regard for the protection of victims and witnesses”;

NOTING the complexity of the proceedings in this case and the large number of decisions rendered by various organs, including decisions on protective measures,

CONSIDERING that it could happen that the Office of the Prosecutor (“Prosecution”) or Vojislav Šešelj (“Accused”) inadvertently divulge in open session the identity of a witness who is nonetheless protected, and that it is thus necessary to implement a mechanism to remedy such mistakes as quickly as possible,

FOR THE FOREGOING REASONS

PURSUANT TO Article 20(1) of the Statute and Rules 69 and 75 of the Rules of Procedure and Evidence of the Tribunal,

ORDER that:

- (i) in the case where the Prosecution or the Accused inadvertently reveal the identity of a witness who is the subject of protective measures granted by another Chamber and in another case before the Tribunal, but which are unknown to the Prosecution, the Accused, or the Pre-Trial Judge at the time when the identity of the said witness is revealed in open session, the Registry should verify the existence and scope of

these protective measures and, where appropriate, inform the Pre-Trial Judge in order to begin the procedure to redact the relevant transcripts;

- (ii) in the case where the Prosecution or the Accused inadvertently reveal in open session the identity of a witness whom the Prosecution intends to call and who is the subject of protective measures in the case, the Prosecution should immediately inform the Pre-Trial Judge so that the said transcripts may be redacted as quickly as possible.

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

/signed/

Jean-Claude Antonetti

Pre-Trial Judge

Done this twenty-ninth day of May 2007

At The Hague

The Netherlands

[Seal of the Tribunal]