



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: 16 May 2002
Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Decision of: 16 May 2002

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION'S THIRD MOTION FOR PROTECTIVE MEASURES
AND FOURTH MOTION FOR SPECIFIC MEASURES FOR INDIVIDUAL WITNESSES**

The Office of the Prosecutor

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

The Accused

Slobodan Milošević

Amicus Curiae

Mr. Steven Kay
Mr. Branislav Tapušković
Mr. Michail Wladimiroff

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 *ex parte* "Prosecution's Third Motion for Protective Measures and Fourth Motion for Specific Measures for Individual Witnesses Testifying during the Kosovo Phase of Trial" filed by the Office of the Prosecutor ("Prosecution") on 10 May 2002 ("the Motion") in respect of two witnesses identified by the Prosecution in the Motion as K31 and K32,

NOTING that witness K31 appears on the witness lists provided by the Prosecution but that the Trial Chamber has been unable to identify witness K32 as a witness whose statement was disclosed to the accused prior to the commencement of trial, as required by the Trial Chamber in its written Order of 11 January 2002,

NOTING also the assertion by the Prosecution in support of the application for K31 that the witness has provided new information, the nature of which would justify the protection sought,

CONSIDERING that, with respect to witness K31, the relief requested by the Prosecution is appropriate for the privacy and protection of the witness but is still consistent with the rights of the accused,

PURSUANT TO Rule 75 of the Rules,

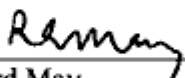
HEREBY GRANTS THE MOTION INsofar AS IT RELATES TO WITNESS K31 AND ORDERS as follows:

- (1) The pseudonym K31 shall be used whenever referring to the witness in proceedings before the International Tribunal and in discussions among parties to the trial;
- (2) the testimony of Witness K31 shall be given in closed session; edited records and transcripts of the sessions may be released to the public and to the media by Order of the Trial Chamber after review by the Prosecution in consultation with the Victims and Witnesses Unit;

- (3) the name, address, whereabouts and other identifying information concerning Protected Witness K31 shall be sealed and not included in any of the public records of the International Tribunal;
- (4) to the extent the name of, or other identifying data concerning, Witness K31 is contained in existing public documents of the International Tribunal, that name and other identifying data shall be expunged from those documents;
- (5) documents of the International Tribunal identifying Witness K31 shall not be disclosed to the public or the media; and
- (6) the public and the media shall not photograph, video-record or sketch Witness K31 while the witness is in the precincts of the International Tribunal.

The Trial Chamber remains seised of the motion in respect of the witness designated K32.

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



Richard May
Presiding

Dated this sixteenth day of May 2002
At The Hague
The Netherlands

[Seal of the Tribunal]