



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-95-8
Date: 13 June 2002
Original: English
French

3/9939 bis
Bj

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Claude Jorda, President of the Tribunal
Registrar: Mr. Hans Holthuis
Decision of: 13 June 2002

THE PROSECUTOR

v.

**DUŠKO SIKIRICA
DAMIR DOŠEN
DRAGAN KOLUNDŽIJA**

**ORDER OF THE PRESIDENT ON THE PROSECUTION
REQUEST FOR VARIATION OF PROTECTIVE MEASURES
IN THE CASE *THE PROSECUTOR v. D. SIKIRICA ET AL.***

The Office of the Prosecutor:

Mr. Dirk Ryneveld in the case *The Prosecutor v. D. Sikirica et al.*

Mr. Geoffrey Nice, Mr. Dirk Ryneveld, Mrs. Hildegard Uertz-Retzlaff, Mr. Dermott Groome in the case *The Prosecutor v. S. Milošević.*

Defence:

Mr. V. Londrović for the Accused D. Sikirica; Mr. V. Petrović for the Accused D. Došen; Mr. D. Vučićević for the Accused D. Kolundžija in the case *The Prosecutor v. D. Sikirica et al.*

The Accused, S. Milošević; the *Amici Curiae*, Mr. S. Kay, Mr. B. Tapusković, Mr. M. Wladimiroff; and the appointed Legal Associates, Mr. Z. Tomanović and Mr. B. Ognjanović in the case *The Prosecutor v. S. Milošević.*



I, Claude Jorda, President 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 (hereinafter "the International Tribunal"),

NOTING the Prosecutor's Request for Variation of Protective Measures in the case *The Prosecutor v. D. Sikirica et al.* dated 22 May 2002 (hereinafter "the Request");

PURSUANT to Rule 75 of the Rules of Procedure and Evidence (hereinafter "the Rules");

CONSIDERING that the Chamber which ordered the protective measures in the case *The Prosecutor v. D. Sikirica et al.* can no longer be constituted by the same judges;

CONSIDERING that the President of the International Tribunal is therefore authorised to rule on the Request;

CONSIDERING that, on 22 May 2002 and pursuant to Rule 75(D) of the Rules, the Prosecutor requested authorisation from the President of the International Tribunal to disclose to the Accused, *Amici Curiae* and appointed Legal Associates in the case *The Prosecutor v. S. Milošević* the confidential testimony, transcripts and evidence relating to witness V;

CONSIDERING that the Prosecutor identified the testimony in question with sufficient precision;

CONSIDERING that, on 4 June 2002, the Victims and Witnesses Section received a consultation request concerning the witness in the Request;

CONSIDERING that the Victims and Witnesses Section informed the President in a memorandum dated 4 June 2002 that witness V had been contacted and that he did not oppose the disclosure of his testimony;

CONSIDERING, however, that the aforesaid testimony must be duly protected;

~~IT-95-8-T~~
IT-02-54-T

~~4/10550 bis~~
1/9939 bis

FOR THE FOREGOING REASONS,

AUTHORISE the Prosecutor to disclose the aforesaid testimony of witness V provided that measures are taken to guarantee to the witness the same level of protection as previously, and that, as such, it is not disclosed to the public or made known to persons other than the Accused, *Amici Curiae* and appointed Legal Associates in the case *The Prosecutor v. S. Milošević*.

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

Done this thirteenth day of June 2002
At The Hague
The Netherlands

(signed)

Claude Jorda
President

[Seal of the Tribunal]

