



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: 17 August 2006  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Ali Nawaz Chowhan  
Judge Tsvetana Kamenova

**Registrar:** Mr. Hans Holthuis

**Decision of:** 17 August 2006

**PROSECUTOR**

v.

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

**DECISION ON PROSECUTION MOTION FOR ADDITIONAL TRIAL-RELATED  
PROTECTIVE MEASURE FOR WITNESS K73**

**Office of the Prosecutor**

Mr. Thomas Hannis  
Mr. Chester Stamp  
Ms. Christina Moeller  
Ms. Patricia Fikirini  
Mr. Mathias Marcussen

**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. Aleksander 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”) is seised of the “Prosecution Motion for Additional Trial Related Protective Measures for Witness K73 with Confidential Annex A”, filed on 11 August 2006 (“Motion”), which seeks the protective measure of image distortion for Witness K73 (“Protected Witness”) during his live testimony before the Tribunal, and hereby renders its decision thereon.

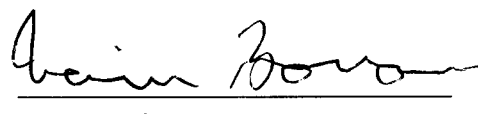
1. The Trial Chamber notes that the particular circumstances of the Protected Witness that support the Prosecution’s request for this protective measure are set out in Annex A. The Chamber considers that the Prosecution has satisfied its burden of demonstrating that the requested protective measure should be granted, and notes that the Defence teams have indicated that there are no objections to the protective measure sought in the Motion.

2. The Chamber also notes that pursuant to Rule 75 of the Rules of Procedure and Evidence of the Tribunal (“Rules”), the other protective measures previously granted in connection with this witness shall remain in force.<sup>1</sup>

3. Pursuant to Rules 54 and 75 of the Rules of Procedure and Evidence, the Trial Chamber **HEREBY ORDERS** as follows:

- (a) Witness K73 may testify with the use of image distortion.
- (b) The Registrar is directed to make all the necessary arrangements to ensure that this protective measure is in place for the testimony of this witness.

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



Judge Iain Bonomy  
Presiding

Dated this seventeenth day of August 2006  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

---

<sup>1</sup> See Motion, para. 1; *Prosecutor v. Milutinović, Šainović, Ojdanić, Pavković, Lazarević, and Lukić*, Case No. IT-05-87-T, Decision on Prosecution Sixth Motion for Protective Measures, 1 June 2006, pp. 9–10.