



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: 18 March 2004

Original: ENGLISH

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Order of: 18 March 2004

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**ORDER CONCERNING AUTHENTICATION
OF INTERCEPTED COMMUNICATIONS**

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice

Ms. Hildegard Uertz-Retzlaff
Mr. Dermot Groome

The Accused

Mr. Slobodan Milošević

Amici Curiae

Mr. Steven Kay, QC
Mr. Branislav Tapušković
Prof. Timothy L.H. McCormack

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 ("International Tribunal"),

HAVING ISSUED the following orders concerning the admissibility of intercepted communications in these proceedings:

- (1) A "Preliminary Decision on the Admissibility of Intercepted Communications", issued 16 December 2003, in which the Trial Chamber ordered that 245 transcripts contained in exhibit 613 were admitted into evidence on a *prima facie* basis, and reserving its final ruling with respect to the admissibility subject to a determination as to the relevance and reliability of the intercepts; and
- (2) "A Second Decision on Admissibility of Intercepted Communications", issued on 9 February 2004, in which the Chamber ordered the Accused and the *Amici Curiae* to identify fifteen intercepts so that a court-appointed expert may assess them with respect to their authenticity,

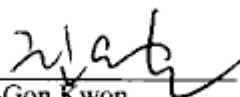
NOTING that the *Amici Curiae* responded by identifying 15 such intercepts, and that the Accused did not respond to the order,

HAVING IDENTIFIED an expert which the Chamber intends to have assess the authenticity of the fifteen intercepts identified by the *Amici Curiae*, being J.P. French and Associates,

PURSUANT TO RULE 54 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY ORDERS the Registrar to make all practical arrangements for the expert to undertake his assessment of the intercepted communications.

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


O-Gon Kwon
Judge

Dated this eighteenth day of March 2004
At The Hague
The Netherlands

[Seal of the Tribunal]