



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-95-5/18-T
Date: 19 May 2014
Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Order of: 19 May 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC with CONFIDENTIAL ANNEX A

**THIRD ORDER ON CHART OF PROTECTIVE MEASURES FOR
DEFENCE WITNESSES**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby Counsel

Mr. Richard Harvey

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”);

NOTING its confidential “Decision on Protective Measures for Witnesses”, issued on 24 July 2009, by which it created a chart including a comprehensive list of all the protective measures which are in force for witnesses appearing on the Office of the Prosecutor (“Prosecution”)’s Rule 65 *ter* witness list (“Prosecution Chart”);

NOTING also its “Second Order on Chart of Protective Measures for Defence Witnesses”, issued on 12 December 2013 (“Second Order”), in which it created a similar comprehensive list of all protective measures which are in force for witnesses appearing on the Accused’s Rule 65 *ter* list (“Defence Chart”) as it did with the Prosecution Chart;

NOTING the “Further Order on Closure of Defence Case”, issued on 2 May 2014, wherein the Chamber ordered that the Defence case shall be considered to have closed on 1 May 2014;

HAVING reviewed submissions received from the parties since issuing the Second Order, as well as the Chamber’s own decisions on the matter,¹ and having revised the Defence Chart as it has deemed appropriate;

PURSUANT TO Articles 20, 21, and 22 of the Tribunal’s Statute, and Rules 54, 69, 70, 75, and 79 of the Tribunal’s Rules of Procedure and Evidence (“Rules”);

HEREBY ORDERS that the revised Defence Chart, as set out in Confidential Annex A to this Order, and as further revised in light of any later procedure and/or decisions on protective measures, shall remain the primary record of protective measures in force for all Defence witnesses in the case; and

¹ The Chamber notes that it admitted the prior evidence of witness KW582 pursuant to Rule 92 *quater* of the Rules. See Decision on Accused’s Motion to Admit Testimony of Witness KW582 Pursuant to Rule 92 *quater*, 3 February 2014, para. 20. The Chamber considers that the protective measures granted to KW582 in previous cases in which he testified continue to apply *mutatis mutandis* in these proceedings pursuant to Rule 75(F)(i) of the Rules and will note their continuation in this case. See Confidential Annex A.

HEREBY INSTRUCTS the Accused to immediately inform the Chamber and the Prosecution when there is a variation of the protective measures in place for any of the witnesses in the Defence Chart.

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



Judge O-Gon Kwon, Presiding

Dated this nineteenth day of May 2014
At The Hague
The Netherlands

[Seal of the Tribunal]