



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: 26 April 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: 26 April 2002

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION MOTION TO EXEMPT WITNESS STATEMENTS
FROM TRIAL CHAMBER'S ORDER OF 21 JANUARY 2002**

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 (“International Tribunal”),

BEING SEISED of the confidential *ex parte* “Prosecution’s Motion for Permission to Exempt Four Witness Statements from the Trial Chamber’s Order of 21 January 2002” filed by the Prosecution on 24 January 2002 (“the Motion”), in which the Prosecution seeks exemption for four witness statements from the order for immediate disclosure in one of the working languages of the International Tribunal and an order that the witness statements be disclosed to the *amici curiae* 30 days and to the accused 10 days before the witness is expected to testify,

NOTING the Order of the Trial Chamber of 25 January 2002, granting temporary exemption pending determination of the substantive merits of the Motion,

NOTING its “Order for Further Submissions” issued on 26 February 2002 and the submissions of the Prosecution filed on 12 March 2002 in response thereto;

NOTING also the Order of the pre-trial Judge of 16 November 2001, permitting the use of pseudonyms for these witnesses until such time as they are called to testify, as confirmed by the Order of the Trial Chamber of 4 January 2002,

CONSIDERING the concerns raised by the Prosecution in the Motion and that the statements will be disclosed to the *amici curiae* and to the accused before the witness testifies,

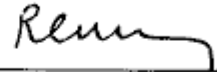
PURSUANT TO Rule 54 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY GRANTS the Motion and **ORDERS** as follows:

- (1) the Prosecution is released from the obligation imposed by the Order of the Trial Chamber of 21 January 2002 to disclose the redacted statements of the witnesses; and

- (2) the Prosecution shall disclose the unredacted statements, in full, of each of the four witnesses to the *amici curiae* not less than 30 days and to the accused not less than 10 days before the witness is expected to testify.

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



Richard May
Presiding

Dated this twenty-sixth day of April 2002
At The Hague
The Netherlands

[Seal of the Tribunal]