

Annex 1:
Analytical table of decisions of ICTY Trial Chambers concerning video-link testimony

Case	Date of decision	Chamber	Requesting party	Type of witness	Grounds	Substantiation	Video-link granted?
<i>Martić, Milan</i> IT-95-11-T	10 November 2006	ICTY-TC	Defence	Expert	Age and ill-health	Confidential medical certificate	Yes
<i>Milošević, Slobodan</i> IT-02-54-T	19 February 2003	ICTY-TC	Prosecution	Ordinary	Ill-health	Not considered in decision	Yes
	23 January 2004	ICTY-TC	Prosecution	Expert	Serious ill-health	Not considered in decision	Yes
	11 March 2003	ICTY-TC	Prosecution	Ordinary	Safety	Protective measures found to be reasonable	Yes, with facial distortion and pseudonym
<i>Milošević, Dragomir</i> IT-98-29/1-T	5 July 2007	ICTY-TC	Defence	Ordinary	Age and ill-health	Confidential medical certificate advising against travel	Yes
<i>Mladić, Ratko</i> IT-09-92-T	7 September 2012	ICTY-TC	Prosecution	Ordinary	Protracted physical disabilities	Medical files dating from three years prior to request and investigator's declaration	Yes
	1 November 2012	ICTY-TC	Prosecution	Ordinary	Safety and loss of employment income	Witness' own declarations	Yes

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	27 November 2012	ICTY-TC	Prosecution	Ordinary	Safety and concerns for business reputation	Witness' own declarations	Yes
<i>Mrkšić, Mile et al.</i> IT-95-13/1-T	21 November 2005	ICTY-TC	Prosecution	Ordinary	Ill-health	Medical report	Yes
<i>Milutinović, Milan et al.</i> IT-05-87-T	15 August 2006	ICTY-TC	Prosecution	Ordinary	Safety	[In <i>ex parte</i> submission]	Yes, with facial distortion
	1 November 2006	ICTY-TC	Prosecution	Ordinary	[Confidential]	[Confidential]	Yes
	16 November 2006	ICTY-TC	Prosecution	Ordinary	[Confidential]	[Confidential]	Yes
	28 November 2006	ICTY-TC	Prosecution	Ordinary	Fragility of health	Prosecution submissions	Yes
	3 August 2007	ICTY-TC	Defence	Ordinary	Safety	Witness' own declarations	Yes
	4 September 2007	ICTY-TC	Defence	Ordinary	Ill-health	Medical files detailing history and condition	Yes
	1 July 2008	ICTY-TC	Defence	Ordinary	Ill-health	Report of authority serving summons	Yes

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<i>Orić, Naser</i> IT-03-68-T	16 March 2005	ICTY-TC	Prosecution	Ordinary	Family responsibilities	Prosecution submissions	Yes
<i>Popović, Vujadin</i> IT-05-88-T	28 May 2008	ICTY-TC	Defence (2 witnesses)	Ordinary	1. Refusal to travel 2. Ill-health	Defence submissions	Yes
<i>Brđanin, Radoslav</i> IT-99-36-T	9 September 2003	ICTY-TC	Prosecution	Ordinary	Ill-health and extreme difficulty in coping with emotional stress of testifying	Prosecution submissions	Yes, for deferred cross-examination ¹
<i>Đorđević, Vlastimir</i> IT-05-87/1-T	23 June 2009	ICTY-TC	Prosecution (3 witnesses)	Ordinary	Inability to travel to the seat of the Tribunal	Prosecution submissions	Yes
<i>Gotovina, Ante et al.</i> IT-06-90-T	26 February 2009	ICTY-TC	Prosecution	Ordinary	Medical condition requiring pressing surgery	Medical report and investigator's declaration	Yes
	3 November 2009	ICTY-TC	Prosecution (4 witnesses)	Defence R92bis	Briefness of testimony; cost;	Chamber's own assessment	Yes, for cross-examination

¹ The testimony of this witness was subsequently cancelled at the request of the Prosecution, on the basis of a report from the witness' psychologist that the witness "is unable to participate in further court proceedings"; see *Prosecutor v. Radoslav Brđanin*, Case No. IT-99-36-T, Order regarding testimony via video-conference link pursuant to Rule 71bis, 21 September 2003 at p. 2.

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<i>Hadžihasanović, Enver et al.</i> IT-01-47-T	11 March 2004	ICTY-TC	Prosecution (11 witnesses)	Ordinary	Age or ill-health	Medical certificates (for 4)	Yes (for 4) Suspended pending filing of medical certificates (for 3)
<i>Haradinaj, Ramush et al.</i> IT-04-84-T	28 August 2007	ICTY-TC	Prosecution	Ordinary	Personal, family and security concerns, including extreme economic and social hardship	Witness' own declarations	Yes
	7 September 2007	ICTY-TC	Prosecution	Ordinary	Young age; proximity to family support	VWS assessment	Yes
	14 September 2007	ICTY-TC	Prosecution	Ordinary	Ill-health	Psychiatrist's assessment; VWS records including medical history	Yes

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Karadžić, Radovan IT-95-5/18-T	17 June 2012	ICTY-TC	Prosecution	Ordinary	Ill-health	Confidential medical certificate from 2009	No
	22 July 2010	ICTY-TC	Prosecution	Ordinary	Intensification of health concerns	Confidential medical certificate	Yes
	23 September 2011	ICTY-TC	Prosecution (2 witnesses)	Ordinary	Ill-health	Confidential medical certificates from 2009 and investigators' reports from 2011	Yes (for 1) No (for 1; recent medical documentation required)
	9 November 2012	ICTY-TC	Defence	Ordinary	Age and physical disability	Medical certificate from 2007; case manager's declaration based on contact with witness	Yes
	21 November 2012	ICTY-TC	Defence (2 witnesses)	Ordinary	Age; recovery from surgery and ill-health	Witnesses' own declarations (and "outdated" medical certificate for 1)	Yes

Total: 31 decisions (23 Prosecution requests / 8 Defence requests)
Video-link granted: 30 decisions (for all or some witnesses)
Video-link rejected: 1 decision