



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-94-2-R61
Date: 5 July 1995
Original: English & French

IN CAMERA

IN THE TRIAL CHAMBER

Before: Judge Karibi-Whyte, Presiding
Judge Odio Benito
Judge Jorda

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 5 July 1995

PROSECUTOR

v.

DRAGAN NIKOLIC ALSO KNOWN AS "JENKI" NIKOLIC

ORDER FOR CLOSED SESSION

The Office of the Prosecutor:

**Mr. Grant Niemann
Ms. Teresa McHenry**

IN CAMERA

THE TRIAL CHAMBER

HAVING CONSIDERED the in camera application filed on 26 June 1995 by the Office of the Prosecutor for leave to file an in camera submission relating to the further proceedings in this case or, alternatively, for an in camera hearing in which to put forward certain issues relating to the case, and for postponement of public or media notification,

CONSIDERING it appropriate to grant relief for the following reasons:

the Office of the Prosecutor asserts that it intends to put forward information on extremely sensitive issues concerning witness security;

disclosure of those arguments may result in the identification of witnesses and related persons who are at risk;

the application for leave to file an in camera submission or to have an in camera hearing is consistent with Rules 53(B), 75(B) and 79(A);

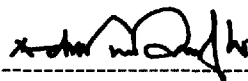
the application is consistent with the rights of the accused;

PURSUANT TO the Order dated 16 May 1995 issued by Judge Odio Benito, a Judge of this Trial Chamber, that the indictment against the accused in this case be submitted to the Trial Chamber pursuant to Rule 61(A),

PURSUANT TO Rule 53(B), Rule 75(B) and Rule 79(A)

HEREBY ORDERS:

- (1) the Office of the Prosecutor shall present its oral arguments concerning matters relating to the further proceedings in this case to the Trial Chamber in closed session on Monday 10 July 1995 at 10 a.m., being the date upon which the Trial Chamber is to consider a further application filed by the Office of the Prosecutor in this matter on 15 June 1995;
- (2) only counsel of record shall be admitted to such session;
- (3) no disclosure of matters related to this case, including this Order and the in camera application filed by the Office of the Prosecutor on 26 June 1995, shall be made until the Trial Chamber has considered the oral arguments of the Office of the Prosecutor and issued its further ruling thereon;
- (4) the Trial Chamber will consider the application filed by the Office of the Prosecutor on 15 June 1995 immediately after it has heard the oral arguments of the Office of the Prosecutor on this matter, time permitting. The Trial Chamber will determine at that stage whether the hearing should then be opened to the public or should remain closed.



Adolphus G. Karibi-Whyte
Presiding Judge

Dated this 5th day of July 1995
At The Hague
The Netherlands

[Seal of the Tribunal]