



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-95-13a-PT
Date: 27 August 1997
Original: English

IN THE TRIAL CHAMBER

Before: Judge Gabrielle Kirk McDonald, Presiding
Judge Elizabeth Odio Benito
Judge Saad Saood Jan

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 27 August 1997

PROSECUTOR

v.

SLAVKO DOKMANOVIĆ

**ORDER CONCERNING PROSECUTOR'S
CONFIDENTIAL MOTION TO MODIFY TRIAL
CHAMBER'S ORDER REGARDING THE VIDEOTAPE
OF THE ARREST OF THE ACCUSED**

The Office of the Prosecutor

**Mr. Grant Niemann
Mr. Clint Williamson**

Counsel for the Accused

**Mr. Toma Fila
Ms. Jelena Lopičić**

THE TRIAL CHAMBER,

NOTING the oral order directed to the Office of the Prosecutor (the "Prosecution") at a status conference held on 24 July 1997 that it should file the videotape of the arrest of Mr. Dokmanović ("the accused") by 1 August 1997;

HAVING CONSIDERED the "Prosecutor's Motion to Modify Trial Chamber's Order Relating to Videotape of the Arrest of the Accused and Motion for Non-Disclosure of the Contents of the Videotape", filed confidentially on 1 August 1997 (Official Record at Registry Page Number ("RP") D258-D384) (the "Motion"), in which the Prosecution requests that the Trial Chamber order the non-disclosure of the videotape of the arrest to the accused and the public;

HAVING CONSIDERED FURTHER the "Defence Motion that Trial Chamber's Order be Unchanged", filed on 14 August 1997 (RP D411-D477), in which the Defence objects to the Motion and submits that the videotape should be shown to the accused, the public and the Defence;

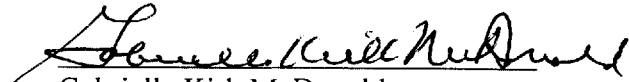
NOTING FURTHER that it is necessary for the Trial Chamber to view the videotape in order to reach a fair determination of the Motion;

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

HEREBY ORDERS as follows:

- (1) The Prosecution shall file the videotape of the arrest of the accused with the Registry immediately, under seal, for the sole purpose of its viewing by the Trial Chamber, *ex parte*, in Chambers;
- (2) The Prosecution shall provide the Registry immediately with a second copy of the said videotape, under seal, in order that the appropriate arrangements can be made for its redaction so as to render unrecognisable the faces of personnel involved in the arrest process, should such redactions prove necessary;

- (3) A closed session hearing shall be held on Friday 5 September 1997, at 10 a.m., for the purpose of hearing the oral arguments of both the Prosecution and the Defence on the Motion, and any other matters that may be necessary.


Gabrielle Kirk McDonald
Presiding Judge

Dated this twenty-seventh day of August 1997
At The Hague
The Netherlands

[Seal of the Tribunal]