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**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-97-27-I

BEFORE A JUDGE OF THE TRIBUNAL

Before: Judge Richard May

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 31 March 1999

THE PROSECUTOR

v.

ŽELJKO RAŽNJATOVIĆ, also known as "ARKAN"

**DECISION TO VACATE IN PART
AN ORDER FOR NON-DISCLOSURE**

I, Richard George May, Judge of the International Criminal Tribunal for the former Yugoslavia:

CONSIDERING the indictment against the above-named accused confirmed by Judge Mohamed Shahabuddeen on 30 September 1997 and his order of the same date, which ordered the non-disclosure of the indictment IT-97-27-I;

CONSIDERING the warrant of arrest and order for surrender of the accused signed by me today, 31 March 1999;

UPON HEARING from the Prosecutor that there have been recent reports alleging the involvement of the accused in paramilitary activities in Kosovo, that in the last few days the accused has been seen and interviewed by the media on the streets of Belgrade, and is now most likely to be on the territory of the Federal Republic of Yugoslavia, and that the said warrant of arrest should immediately be transmitted to the authorities of the Federal Republic of Yugoslavia;

BEING SATISFIED THAT that Prosecutor's request is necessary for the purpose of the on-going investigation and the preparation of the trial, and that the non-disclosure order should be vacated to allow the fact that the accused is indicted before the International Tribunal, to be publicly disclosed;

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BEING SATISFIED ALSO THAT in the interests of justice to protect confidential information obtained by the Prosecutor for the protection of witnesses, and pursuant to Rule 53(C) of the Rules of Procedure and Evidence, a copy of the indictment should not be transmitted to the authorities of the Federal Republic of Yugoslavia until such time as they execute the warrant and the accused is taken into custody;

PURSUANT TO Rules 53 and 54

ORDER that the non-disclosure order of 30 September 1997 be vacated in part to the extent required to allow the transmission to the Federal Republic of Yugoslavia of a copy of the arrest warrant and order for surrender, and to allow public disclosure of the fact that the accused is indicted before the International Tribunal, and that the warrant has been transmitted to the Federal Republic of Yugoslavia.



Richard George May
Judge of the
International Tribunal

Dated this thirty-first day of March 1999
At the Hague
The Netherlands