

UNITED
NATIONS

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24 September 2007

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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-98-29/1-T

Date: 24 September 2007

Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Antoine Kesia-Mbe Mindua
Judge Frederik Harhoff

Registrar: Mr. Hans Holthuis

Date: 24 September 2007

PROSECUTOR

v.

DRAGOMIR MILOŠEVIĆ

PUBLIC

**DECISION ON PROSECUTION MOTION TO ADMIT
UNDER SEAL A DIGITAL VIDEO DISC CONTAINING
VIDEO INTERVIEWS**

The Office of the Prosecutor:

Mr. Stefan Waespi
Ms. Carolyn Edgerton
Mr. John Docherty

Counsel for the Accused:

Mr. Branislav Tapušković
Ms. Branislava Isailović

TRIAL CHAMBER III (“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;

BEING SEISED of the Prosecution Motion to admit under seal a digital video disc containing video interviews, filed confidentially on 6 September 2007 (Motion), in which the Prosecution requests the admission into evidence of a DVD containing eight video interviews with witnesses in this trial (“new DVD”);

NOTING that the Defence did not respond to the Motion;

CONSIDERING that the Prosecution, when it showed the first of these video interviews, expressed its intention to tender into evidence a DVD containing interviews with witnesses of all sniping incidents (“original DVD”) at the end of the case, after the interviews had been authenticated by said witnesses;

CONSIDERING that it did not, however, show all interviews contained on the original DVD;

CONSIDERING that the video interviews contained on the new DVD were all shown in court and commented on by witnesses;

CONSIDERING that the video contains interviews of protected witnesses, whose identity should remain protected;

CONSIDERING that the new DVD is relevant and probative and, thus, is to be admitted;

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 75 and 89 of the Rules of Procedure and Evidence,

HEREBY ADMITS into evidence, under seal, the DVD accompanying this motion and containing the video interviews of eight witnesses, and

REQUESTS the Registrar to assign an exhibit number to this DVD as soon as possible, but no later than 26 September 2007.

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



Judge Patrick Robinson
Presiding

Dated this twenty-fourth day of September 2007

At The Hague

The Netherlands

[Seal of the Tribunal]