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BLAŠKIĆ CASE: **JUSTICE ARBOUR, PROSECUTOR OF THE ICTY,** **WILL APPEAR IN COURT FOR THE HEARING ON 16 APRIL 1997**

International
Criminal Tribunal
for the Former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

As announced earlier, at 10 a.m. on Wednesday 16 April 1997, Trial Chamber II will hold an important hearing on the authority of the Judges of the International Criminal Tribunal for the former Yugoslavia to compel a State, or a high official of a State, by a *subpoena duces tecum*, to submit documents requested by a party. The question at issue is whether an international criminal court can restrain the sovereign power of a State by enjoining the State, or one of its high officials, under threat of sanctions, to hand over to the court material believed to be of evidentiary value by the requesting party.

Considering "*the significance of the[se] issues*", on 14 March 1997, Judge McDonald, the Judge who issued the initial subpoena, ordered the hearing to be held before the full Trial Chamber. A further indication of the importance of this hearing is the fact that the Prosecutor of the ICTY, Justice Louise ARBOUR, will lead the presentation of the prosecution's argument and will thus make her first personal appearance in the ICTY courtroom.

UPDATE ON THE AMICI CURIAE

* **A total of eight (8) persons or organizations have filed motions, and have all been granted leave to file an *amicus curiae* brief and to appear in court as *amicus curiae*:**

1. Professor Ruth WEDGWOOD, Yale Law School (United States)
2. Professor Peter MALANCZUK, University of Amsterdam (The Netherlands)
3. Professor Georg NOLTE, Max-Planck Institute for Comparative Public Law and International Law (Germany)
4. Professor Alain PELLET, University Paris X-Nanterre, on his own behalf and on behalf of JURISTES SANS FRONTIERES (France)
5. Professor Marie-José DOMESTICI-MET, University of Aix-Marseille (France)
6. Professor Luigi CONDORELLI, University of Geneva (Switzerland)
7. Mr. Donald DONOVAN, Lawyers Committee for Human Rights (United States)
8. Professor Vladimir LJUBANOVIĆ, University of Osijek, for the Croatian Association of Criminal Science and Practice (Croatia)

* **Four (4) other persons or organizations have filed motions, and have all been granted leave, to file an *amicus curiae* brief:**

9. Professor Bartram S. BROWN, Chicago-Kent College of Law (United States)
10. Mr. Thomas WARRICK, Mr. Rochelle STERN and Mr. Stefan LUPP, lawyers (United States)
11. Professor Juan Antonio CARRILLO SALCEDO, University of Seville (Spain)
12. Dr. Annalisa CIAMPI and Professor Giorgio GAJA, University of Florence (Italy)

One applicant is still pending
