

## Press Release . Communiqué de presse

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**TRIAL CHAMBERS**  
**CHAMBRES DE 1ere INSTANCE**

CC/PIO/240-E  
The Hague, 3 September 1997

### BLASKIĆ CASE:

#### TRIAL CHAMBER REJECTS THE DEFENCE MOTION TO PRECLUDE TESTIMONY OF CERTAIN PROSECUTION WITNESSES

In a Decision dated 25 August 1997, Trial Chamber I (consisting of Judges Jorda, presiding, Riad and Shahabuddeen) rejected the Defence Motion to preclude testimony of certain prosecution witnesses (see PR 218-E).

The Defence filed this motion on 25 June 1997, based upon the alleged Prosecution's violation of the Tribunal's Decision handed down on 27 January 1997. This Decision ordered that "*all the previous statements [...] which appear in the Prosecutor's file [...] be disclosed to the Defence immediately*", pursuant to Rule 66(A) of the Rules of Procedure and Evidence (see PR 153-F). The Prosecution responded to this Motion on 16 and 18 July 1997, and a hearing in closed session was held on 28 July 1997 to hear the parties on the matter.

Trial Chamber examined this Motion "*in the light of its Decision of 27 January 1997*", in order to determine whether the requested documents could be considered as "*prior statements*", namely "*all previous statements of the accused which appear in the Prosecutor's file, whether collected by the Prosecution or originating from any other source [...with] no need to draw any distinction between the form or forms which these statements may have*". The Chamber rejected the requests of the Defence relating to the communication of maps, personal diaries and a radio log.

Concerning the late discovery of documents by the Prosecutor, the Chamber emphasised "*her good faith -which the Defence did not challenge- in attempting to comply with her discovery obligations*", before rejecting the request of the Defence.

Finally, the Chamber ordered the Prosecutor to communicate the list of witnesses to be called to the Defence, within a minimum of two working days before their calling.

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*The full texts of the documents referred to in this Press Release are available  
at the Press and Information Office upon request*

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rejects the defence motion to preclude testimony of certain prosecution witnesses.)

(PC240E Blaskic case - Trial Chamber