

Blaskic's provisional release rejected.

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BLASKIC's PROVISIONAL RELEASE REJECTED

In a decision issued on **25 April 1996**, Trial Chamber I rejected the motion filed by counsel for General Tihomir BLASKIC on **24 April 1996** requesting his provisional release.

The Trial Chamber found that the "*exceptional circumstances*" justifying provisional release under Rule 65 have not been met by the accused.

According to the Chamber, provisional release can only be ordered in very rare cases, in which the situation of the accused, notably his health, is incompatible with any form of detention. Detention of the accused is the principle and release the exception.

The Trial Chamber stated that the guarantees given by General BLASKIC that he would appear when summoned before the Tribunal and his willingness to lodge a bail bond are not sufficient to allay the fear that he would not appear when summoned before the Tribunal, given the seriousness of the crimes alleged to have been committed by General BLASKIC and the harsh penalty he is likely to receive if convicted.

It also found that it was not certain that General BLASKIC would not endanger witnesses, and further, that his freedom might endanger witnesses. His knowledge of the Prosecution case might also obstruct the course of justice.