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The Hague, 7 September 1998

COMPLETION OF THE INTERNAL INQUIRY INTO THE DEATH OF Dr. MILAN KOVACEVIC

*The rupture of an abdominal aortic aneurysm caused death
No negligence on the part of the duty doctor or any Detention Unit staff member
Medical emergency procedures to be reviewed*

Following the sad death of Dr. Milan Kovacevic, who passed away on 1 August 1998 in his cell at the Detention Unit of the International Criminal Tribunal for the former Yugoslavia (ICTY), an internal inquiry into "the circumstances surrounding the death" of the detainee was ordered by the ICTY Vice-President, Judge Mohamed Shahabuddeen, acting as President.

Judge Almiro Rodrigues was designated to conduct this inquiry, provided by Rule 32 (C) of the Rules of Detention.

On 27 August 1998, Judge Rodrigues presented the ICTY President, Judge Gabrielle Kirk McDonald, with his final report. The President ordered that the findings of the inquiry be made public.

Purposes of the inquiry

The purposes of the inquiry were twofold:

1. To look into the circumstances surrounding the death of the detainee and to establish whether any individual responsibility was involved in the light of the existing Rules of Detention relating to the medical services to be provided to persons detained in the Detention Unit.
2. To determine whether amendments to the Rules or improvements to the procedures should be suggested.

Methodology of the inquiry

Upon his appointment, Judge Rodrigues constituted a three-member inquiry team (two legal officers and one photographer) assisted by an interpreter and a stenographer.

They collected background information relating to the court case as well as any other documentary evidence relating to the medical condition, prior to and during his detention, of Dr. Milan Kovacevic. They inspected his cell and examined various documents contained therein. They interviewed, and took statements from, the following persons: Dr. Kovacevic's Defence Counsel, Dr. Kovacevic's son and brother, five guards from the Detention Unit, the Commanding Officer of the Detention Unit, the Medical Officer of the Detention Unit and the duty Doctor, who visited Dr. Kovacevic on the night before his death and who pronounced him dead shortly after 9.37 a.m. on Saturday 1 August 1998.

Findings of the inquiry

A copy of the detailed findings is attached

Internet address: <http://www.un.org/icty>

Public Information Unit/ Bureau d'information publique

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Churchillplein 1, 2517 JW La Haye. B.P. 13888, 2501 La Haye. Pays-Bas
Tel.: +31-70-416-5356; 416-5343 Fax: +31-70-416-5355