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CHAMBERS

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JUDGES DECIDE AGAINST CALLING TONY BLAIR AND GERHARD SCHRÖDER TO TESTIFY IN MILOSEVIC TRIAL

The judges in the trial of Slobodan Milosevic today issued a decision not to order British Prime Minister Tony Blair and former German Chancellor Gerhard Schröder to provide testimony or a pre-testimony interview as part of the accused's defence case.

The judges had been seized of confidential applications by the two lawyers assigned by the court to represent Milosevic's interests for the testimony and pre-testimony interview of Blair and Schröder. The judges noted that this issue had been raised by Milosevic on many occasions during the trial in an inappropriate and informal way.

In their submission to the judges, the assigned counsel argued that both Blair and Schröder possessed information that was necessary for the resolution of specific issues relevant to the Kosovo indictment against the accused. They requested either a binding order to the governments of the United Kingdom and Germany directing them to provide the witnesses, or a subpoena to Blair and Schröder to compel their attendance at the accused's trial.

The two states argued in response that calling Blair and Schröder as witnesses served no legitimate forensic purpose and that the official capacity of the prospective witnesses entitled them to certain immunities which might prevent the issuance of a subpoena against them.

As part of their conclusion, the judges stated the following:

"The Trial Chamber has examined the Assigned Counsel's applications...and finds that the issuance of a subpoena is not warranted in relation to either Mr. Blair or Mr. Schröder.

Because the applications fail on their merits, no issue arises as to whether the status of the prospective witnesses as senior state officials would have given them immunity from a subpoena compelling them to attend an interview or testify in a trial before the Tribunal".

*The text of the full decision can be found at:
<http://www.un.org/icty/milosevic/trialc/decision-e/051209.htm>*

Courtroom proceedings can be followed on the Tribunal's website

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

Media Office/Communications Service

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands

Tel.: +31-70-512-5343; 512-5356 Fax: +31-70-512-5355