

The Tribunal's first trial : another step in the fulfillment of the Tribunal's mandate.

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THE TRIBUNAL'S FIRST TRIAL: ANOTHER STEP IN THE FULFILLMENT OF THE TRIBUNAL'S MANDATE

The first trial to be held before the International Criminal Tribunal for the Former Yugoslavia opens on Tuesday 7 May 1996 at 10 a.m. Its duration will likely be measured in months rather than weeks.

The first defendant to stand trial is Dusko Tadic, who has been in the Tribunal's custody since late-April 1995. The interim period has mainly been devoted to pre-trial proceedings and to the preparation of the Defence's case.

I. A significant step With this first trial, **the International Tribunal takes another step in the fulfillment of the mandate entrusted to it by the UN Security Council on behalf of the international community.**

The International Tribunal was established in order to prosecute persons responsible for serious violations of international humanitarian law in the former Yugoslavia. May 7 will thus assume a special significance in the Tribunal's history. **This date will also have special resonance for the victims of the war in the Former Yugoslavia.** They will draw strength from the fact that the legal mechanism set up by the UN to vindicate their cries for justice is now fully functional.

A public trial of accused persons will serve to expose the truth. Hopefully, this world-wide acknowledgment of the victims' suffering and the redress offered by the punishment of those persons convicted of atrocities will help to avoid collective guilt and will contribute to the reconciliation process and the restoration of peace in the former Yugoslavia. Finally, **7 May has a particular significance for the United Nations and for the world community.**

The upcoming trial marks the first occasion for the implementation of international humanitarian law, a body of law designed to regulate the conduct of combatants and to protect civilians during wars. It is based on standards agreed upon by States.

By implementing this body of law, the International Tribunal will give it its true meaning. This first trial is thus an exercise in the assertion of the rule of law over the law of the gun, as this war-torn century draws to a close.

II. The continuation of a series of accomplishments

The first trial should be seen in its proper context. It is part of a continuum that began with the establishment of the Tribunal in 1994, and is neither less nor more important than many other significant accomplishments that have since been made.

Under the leadership of President Cassese, the Tribunal's legal foundations were developed by the Tribunal's 11 Judges in the first part of 1994. Concurrently, the Office of the Prosecutor was set up by the Deputy Prosecutor, Mr. Graham Blewitt, prior to the appointment of the Chief Prosecutor, Mr. Richard Goldstone.

To date, fourteen indictments have been issued, relating to 57 accused persons; four deferral proceedings have been held; and four Rule 61 Proceedings have been heard. The Appeals Chamber has sat once, in an interlocutory hearing on the Jurisdiction of the Tribunal.

Thus, the first trial is merely a continuation of a series of progressive and ongoing accomplishments. Pre-trial proceedings have begun or are pending in three other cases, involving six defendants. Their trials will commence in the next few months.