

Press Release . Communiqué de presse

(Exclusively for the use of the media. Not an official document.)

United Nations
Nations Unies

REGISTRY
GREFFE

CC/PIO/208-E
The Hague, 4 June 1997

TADIĆ CASE UPDATE: DEFENCE FILES NOTICE OF APPEAL AGAINST JUDGEMENT

On 3 June 1997, the Defence counsel of Dusko TADIĆ filed a specified Notice of Appeal against the Judgement of 7 May 1997, on the grounds of an error of law invalidating the decision and an error of fact which has occasioned a miscarriage of justice.

Grounds of Appeal

According to the Defence, led by Mr. Milan Vujin, assisted by Mr. Nikola Kostich, the Trial Chamber has made the following errors of law and fact:

1. The accused's right to a fair trial was limited;
2. The charges against him were not brought with sufficient particularity so as to advise him of the nature and cause of the allegations against him;
3. The claimed statutory authority of the Prosecution of the appellant was enacted after the accused's alleged criminal conduct. The accused would not have had notice so as to comport his behaviour to the requirements of law. Such conduct did not constitute a crime at the time of its alleged commission.
4. The accused's right to examine all witnesses who testified against him was limited, as was his right to conduct the examination of all witnesses in a meaningful and fair way.
5. The accused was denied the right to have a fair trial by an improper joinder of the crimes alleged.
6. The Trial Chamber erroneously admitted evidence that was neither relevant nor probative to an issue at bar by admitting hearsay evidence which was inherently unreliable.
7. Neither the accused nor his counsel have had an opportunity to review the record, conduct a post-trial investigation and engage in the necessary research, therefore the right to supplement or amend the instant notice of appeal is hereby reserved. It is also noted that the accused has not had the opportunity to read the Judgement in his native language.

.../...

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

Press and Information Office/ Bureau de presse et d'information:

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) 416-5343; 416-5356; 416-5232 and 416-5285. **Fax:** +31 (70) 416-5355.

case update Defence files notice of appeal against Judgement.)

(PC208E Tadic

Conclusions and Proposal

The Defence Notice of Appeal concludes that the Appeal is grounded on an erroneous analysis of the evidence presented; wrongly established facts about all the counts of the indictment for which Tadic was convicted; wrongly established facts regarding the situation in the former Yugoslavia; and errors of law invalidating its judgement.

The Defence proposes that the Appeals Chamber in accordance with Article 25(2) *“reverse or revise the Judgment rendered by the Trial Chamber”*.

The full text of the Notice of Appeal is available from the Press and Information Office upon request.