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The Hague, 9 June 1997

TADIĆ CASE: PROSECUTOR FILES NOTICE OF APPEAL AGAINST JUDGEMENT

On 6 June 1997, the Prosecutor of the International Tribunal filed a notice of appeal against the "*Opinion and Judgment*" of Trial Chamber II in the Tadić case, rendered on 7 May 1997.

Grounds of Appeal

1. The majority (Judges Stephen and Vohrah) erred in not finding the grave breaches provisions of the Statute applicable;
2. The Trial Chamber erred in not finding beyond a reasonable doubt that the accused took part in the killing of any or all of the five men from Jaskići;
3. The Trial Chamber erred in holding that an element of a crime against humanity is that the accused must know that the attack is part of widespread or systematic attack on a civilian population;
4. The Trial Chamber erred in holding that discriminatory intent is an element of all crimes against humanity;
5. The majority (Judges Stephen and Vohrah) erred in denying the Prosecution motion for production of witness statements (Decision of 27 November 1996).

The Prosecutor seeks the following relief:

1. A reversal of the challenged decisions listed above under 1, 2, 3 and 4.
2. A review of the decision listed in 5 above.

Lastly, the Prosecutor seeks a deferral of any hearing related to this appeal until after the expiration date for any appeal on a sentence, or any such later period as may be ordered.

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

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(PC210E Tadic