



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-94-1-T
Date: 7 May 1996
Original: ENGLISH AND
FRENCH

IN THE TRIAL CHAMBER

Before: Judge Gabrielle Kirk McDonald, Presiding
Judge Ninian Stephen
Judge Lal C. Vohrah

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 7 May 1996

PROSECUTOR

v.

DUŠKO TADIĆ a/k/a "DULE"

**DECISION ON THE PROSECUTION MOTION
TO COMPEL DISCLOSURE OF STATEMENTS TAKEN BY
THE DEFENCE OF WITNESSES WHO WILL TESTIFY**

The Office of the Prosecutor:

Mr. Grant Niemann
Ms. Brenda Hollis

Mr. Alan Tieger
Mr. Michael Keegan

Counsel for the Accused:

Mr. Michail Wladimiroff
Mr. Alphons Orié

Mr. Steven Kay

THE TRIAL CHAMBER,

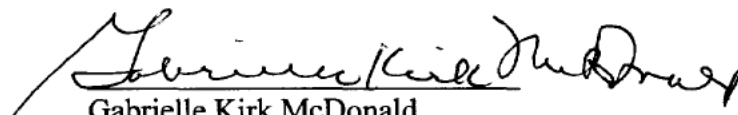
HAVING CONSIDERED the written submission of the Prosecution in support of its Motion to Compel Disclosure of Statements Taken by the Defence of Witnesses Who Will Testify filed on 12 April 1996 and the Defence's response to the Prosecution motion submitted on 16 April 1996;

CONSIDERING that the Prosecution has not presented any specific reason in support of its motion other than to assert that disclosure will assist with the "orderly conduct of trial";

CONSIDERING that the Rules of Procedure and Evidence of the International Tribunal contain no explicit provision relating to the disclosure of witness statements by the Defence;

HEREBY DENIES the Prosecution Motion to Compel Disclosure of Statements Taken by the Defence of Witnesses Who Will Testify.

Done in English and French, the English text being authoritative.


Gabrielle Kirk McDonald
Presiding Judge

Dated this 7th day of May 1996
At The Hague
The Netherlands

[Seal of the Tribunal]