

UNITED
NATIONS

D871 - D870
11 May 2000

871
KT



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

Case: IT-98-29-PT
Date: 11 May 2000
Original: English

IN THE TRIAL CHAMBER

Before: Judge Almiro Rodrigues, Presiding
Judge Fouad Riad
Judge Patricia Wald

Registrar: Mrs Dorothee de Sampayo Garrido-Nijgh

Order of: 11 May 2000

PROSECUTOR

v

STANISLAV GALIĆ

**ORDER ON A FURTHER DEFENCE MOTION TO SUPPRESS/EXCLUDE ACCUSED'S
STATEMENTS**

Office of the Prosecutor:

Mr Franck Terrier

Counsel for the Defence:

Mr Nikola Kostich

TRIAL CHAMBER I of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (“International Tribunal”);

BEING SEIZED of the Defence’s “Motion to Suppress/Exclude Accused’s Statements”, dated 7 April 2000 and filed on 13 April 2000 (“the Motion”), in which the Defence requests that the Trial Chamber order that any statement attributed to the accused, obtained during interrogation or while in custody, be suppressed or excluded from trial;

NOTING the “Prosecutor’s Response to Defence Motion to Suppress/Exclude Accused’s Statements”, dated and filed on 20 April 2000, in which the Prosecution submits that the Motion should be denied and that, at this stage, it is not aware of any such statements; that the accused was only interviewed briefly by an investigator of the Office of the Prosecutor after his detention by SFOR for the purpose of identification; and that after his initial appearance, the accused declined to be interviewed;

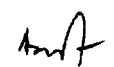
CONSIDERING that any questioning of the accused is to be conducted in accordance with Rules 63 and 43 of the Rules of Procedure and Evidence (the “Rules”) and, furthermore, that at all times the Prosecution is to consider its disclosure obligations under the Rules, particularly Rules 66(B) and 68;

CONSIDERING that the admissibility of any evidence is to be addressed by the parties at trial and finally to be decided by the Trial Chamber in accordance with the Rules, particularly Rules 89 and 95;

FOR THE FOREGOING REASONS,

REJECTS the Motion.

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



Almiro Rodrigues
Presiding Judge

Done this 11 May 2000
At The Hague,
The Netherlands.

[Seal of the Tribunal]