



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 No.: IT-95-17/1-PT  
Date: 2 June 1998  
Original: ENGLISH

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**IN THE TRIAL CHAMBER**

**Before:** Judge Florence Ndepele Mwachande Mumba, Presiding  
Judge Antonio Cassese  
Judge Richard May

**Registrar:** Mrs. Dorothee de Sampayo Garrido-Nijgh

**Decision of:** 2 June 1998

**PROSECUTOR**

v.

**ANTO FURUNDŽIJA**

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**DECISION**

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**The Office of the Prosecutor:**

Mrs. Patricia Viseur-Sellers  
Mr. Michael Blaxill

**Counsel for the Accused:**

Mr. Luka Misić

**THIS TRIAL CHAMBER** 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");

**CONSIDERING** the matters discussed at the Status Conference held on 29 May 1998;

**CONSIDERING ALSO** the decision of the Trial Chamber delivered orally to the parties on 29 May 1998;

**HEREBY** confirms its oral decision in writing:

1. By 1200 hours on 2 June 1998, the Prosecution is to turn over to the Defence all trial transcripts in any other trials where all the witnesses to be called by the Prosecution have testified to date; however, where such transcripts have been redacted by order of another Trial Chamber of the International Tribunal the transcripts shall be turned over in their redacted form.
2. By 1200 hours on 2 June 1998, the Prosecution shall issue a redacted Indictment against the accused, leave to withdraw the charges under Count 12 having been granted to the Prosecution in the Trial Chamber's order of 13 March 1998 (Official Record at Registry Page ("RP") (RP D232 - D230).
3. By 1200 hours on 2 June 1998, the Prosecution shall confirm in writing to the Defence and the Trial Chamber whether it intends to call Victim B to testify and if so, his/her Witness Statement shall be provided to the Trial Chamber pursuant to its order of 13 February 1998 (RP D80 - D82).
4. The Prosecution is under no obligation to hand over the videotape said to concern Witness A as there is no evidence that it has ever had any involvement with it.

5. The order of the Trial Chamber that the Prosecution must disclose whether or not there are any sealed Indictments against the accused is vacated, the Prosecution having confirmed orally to the Trial Chamber that no sealed Indictment exists against the accused, Anto Furundžija,.

6. The Trial Chamber will issue a separate written decision on the Prosecution's handling of this matter as it is appalled by what it considers to be conduct close to negligence in the Prosecution's preparation of this case.

7. Having already dealt with the adequacy of the details provided by the Prosecution of its case against the accused, Anto Furundžija, no further order by the Trial Chamber is necessary.

8. By 1200 hours on 4 June 1998, the Defence shall confirm in writing whether it is fully prepared and ready to proceed to trial on both Counts 13 and 14 on the scheduled date of 8 June 1998, **IT BEING UNDERSTOOD** that in these circumstances, postponement of the trial date will not be attributed to the Defence.

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



Florence Ndepele Mwachande Mumba  
Presiding Judge

Dated this 2nd day of June 1998  
At The Hague,  
The Netherlands.

**[Seal of the Tribunal]**