

The Dokmanovic Case

Author: [IWPR](#)
[ICTY](#)

Tribunal Update 55: Last Week in The Hague (December 1-5, 1997)

The other three accused men - officers of the former JNA - remain at large, and the Trial Chamber has confirmed that if they are brought into custody in the meantime, consideration will be given to ordering a joint trial of all the accused.

In order to contribute to such a development, i.e. to the voluntary surrender of the remaining accused from the "Vukovar indictment", Prosecutor Louise Arbour has requested that "all reasonable measures should be taken to ensure that the other accused are aware of the indictment and the imminent trial of one of the accused, and that they should be called upon to surrender themselves to the Tribunal in time for them to be tried jointly."

The prosecutor's submissions are the following: At any subsequent trial which follows Dokmanovic's, the Trial Chamber is requested to admit the transcripts of the testimony of witnesses without asking for their reappearance in court. At any subsequent trial, the Trial Chamber will be asked to find that the co-accused have, by failing to appear voluntarily before the Tribunal at the earlier trial, waived any right to have those prosecution witnesses give testimony orally in their presence, and waived their right to examine those witnesses, or have those witnesses examined.

These measures will, according to Ms Arbour, be proposed "as a means of minimising the adverse effects of multiple trials in respect of a single indictment." She has added that all reasonable measures would be taken to give sufficient notice to the co-accused. These measures would include official publication of notices in newspapers having a wide circulation in the territory of the FRY.

The Trial Chamber has yet to agree to this original approach which signals to the accused that their failure to appear in The Hague will impact their case. The Tribunal spokesman Christian Chartier told Tribunal Update, the implicit message is a simple one. "These three men are wanted, and as long as they are away from the Tribunal...they are damaging their cases."

Focus: [International Criminal Tribunal for the former Yugoslavia](#)

Source URL: <https://iwpr.net/global-voices/dokmanovic-case-2>