

Tadic Case: The Judgement Procedure

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

Tribunal Update 26: Last Week in The Hague (April 28-May 3, 1997)

It is the second judgement to be delivered after the ten year sentence against Drazen Erdemovic last November (see Update 5). Under the Tribunal's Statute and Rules, the judgement and sentencing procedures are entirely separate phases.

On Wednesday, in a public hearing, Trial Chamber II will announce only its verdict on the defendant's guilt or innocence of the charges. If the Chamber concludes, by a majority decision, that the accused is guilty on one or several counts, sentencing does not follow immediately.

If either party files an appeal, the sentencing hearing is stayed until after the decision of the Appeals Chamber. If acquitted, the accused, according to Rule 99 (A) "shall be released immediately," unless the prosecutor "advises the Trial Chamber in open court of his intention to file notice of appeal.

" In that case, the Trial Chamber may - at the request of the prosecutor and according to Rule 99 (B) - 0"issue a warrant for the arrest of the accused to take effect immediately."

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

Source URL: <https://iwpr.net/global-voices/tadic-case-judgement-procedure>