

Case No. IT-95-14-T

THE INTERNATIONAL CRIMINAL TRIBUNAL FOR
THE FORMER YUGOSLAVIA

BEFORE A JUDGE OF THE TRIAL CHAMBER

Before: Judge Gabrielle Kirk McDonald

Registrar: Dorothee de Sampayo Garrido-Nijch

Decision of 15 January 1997

The Prosecutor v. Tihomir Blaskic

SUBPOENA DUCES TECUM

To: The Republic of Croatia

To: Defence Minister Gojko Susak, Ministry of Defence, Republic of Croatia

I, *Gabrielle Kirk McDonald*, Judge of the International Criminal Tribunal for the former Yugoslavia,

CONSIDERING, Articles 18(2) and 19(2) of the statute and Rules 39(ii) and (iv) and 54 of the Rules of Procedure and Evidence of the International Criminal Tribunal for the former Yugoslavia,

CONSIDERING the Request by the Prosecutor for the International Tribunal for the former Yugoslavia ("Prosecutor") for the issuance of a subpoena duces tecum,

HEREBY DIRECT Defence Minister Gojko Susak, Ministry of Defence, Republic of Croatia, to provide to the Prosecutor on or before 14 February 1997 the following:

- I. All notes and writings of Tihomir Blasic prepared by or for him between 1 April 1992 and 1 January 1994 and directed to the Croatian Ministry of Defence and its representatives.
- II. All notes and writings of Tihomir Blasic prepared by or for him between 1 April 1992 and 1 January 1994 and directed to Mate Boban ad to the Ministry of Defence of the Croatian Community of Herceg Bosna and its representatives, whether civil or military.
- III. All military orders, signed and unsigned, issued by or on the behalf of Tihomir Blasic while he was the commander of the Operation Zone Central Bosnia.
- IV. All directives and orders, signed and unsigned, directed to Tihomir Blasic personally or in his capacity as Central Bosnia Operation Zone Commander by Mate Boban, the General Staff and the Ministry of Defence of the Croatian Community of Herceg Bosna from 27 June 1992 to 1 January 1994.
- V. All orders, communications and directives, signed and unsigned, directed to Mate Boban, the General Staff of the HVO and the Ministry of Defence of the Croatian Community of Herceg Bosna and its representatives, including General Milivoj Petkovic, General Ante Roso, General Slobodan Praljak, Colonel Tihomir Blasic, Anto Sliskovic, Col. Zeljko Siljeg, Bruno Stojic and Dario Kordic by the Ministry of Defence of the Republic of Croatia and any of its members and representatives from 1 April 1992 to 1 January 1994.
- VI. All writings, memoranda, notes, reports and memoranda of understandings between Defence Minister Gojko Susak and his representatives and Mate Boban, the General Staff of the HVO and the Ministry of Defence of the Croatian Community of Herceg Bosna and its representatives, including General Milivoj Petkovic, General Ante Roso, General Slobodan Praljak, Colonel Tihomir Blasic, Anto Sliskovic, Col. Zeljko Siljeg, Bruno Stojic and Dario Kordic by the Ministry of Defence of the Republic of Croatia and any of its members and representatives from 1 April 1992 to 1 January 1994.
- VII. All reports and files of investigation and prosecution, conducted by the HVO or the HV, or their representatives, into the attack on and the killing of civilians in Ahmici and other villages in the Lasva Valley which occurred in April of 1993.

- VIII. The names of all persons prosecuted or disciplined in any way in Herceg Bosna or in Croatia for the crimes which occurred in relation to the attacks on Ahmici and other villages in [sic.] the Lasva Valley which occurred in April of 1993.
- IX. Minutes of a meeting between Tihomir Blasic and HVO military and civilian personnel that occurred on 4 July 1992 in Kruscica (Vitez Municipality).
- X. All Croatian government Ministry of Defence records reflecting the provision or supply of military weapons, ammunition, communications equipment, medical supplies, logistical supplies and personnel by the Republic of Croatia to the HVO, the HZ H-B or their representatives from November 1991 to January 1994.
- XI. All Croatian government Ministry of Defence documents, records, reports and orders reflecting the presence of HV military personnel and their activities in the Republic of Bosnia and Hercegovina from November 1991 to 1 July 1994, including but not limited to the following military units:
- 1 Gardjiska HV Bde - possibly also referred to as:
 - 1 HV Bde,
 - 1 Gardjiska Bde,
 - “Tigrovi” Bde,
 - 1 “Tigrovi” Bde,
 - “Tigrovi” Bde Split,
 - “Tigrovi” Bde Zagreb,
 - 2 Gardijska HV Bde - possibly also referred to as:
 - 2 HV Bde,
 - 2 Bde Sisak,
 - 2 Gardjiska Bde,
 - “Grom” Bde.
 - 2 “Grom” Bde,
 - “Zmajevi” Bde,
 - “Grom” Bde Sisak,
 - Second Unit of HV, Second Company,
 - 2 Batallion 144 Brigade HV,
 - 4 Gardjiska HV Bde - possibly also referred to as:
 - 4 HV Bde Split,
 - 4 HV Bde,
 - 4 Gardjiska Bde,

- “Lav” Bde,
- 4 “Lav” Bde,
- 5 Gardjiska HV Bde - possibly also referred to as:
 - 5 HV Bde,
 - 5 “Orao” Bde,
 - “Orao” Bde,
 - 5 Gardjiska Bde,
 - 5 Zagreb Bde,
 - Osijek HV Bde,
 - Osijek ZNG,
 - 5 Bde Osijek,
 - 5th Domobran Bde,
- 7 Gardjiska HV Bde - possibly also referred to as:
 - 7 Bde HV,
 - 7 “Pume” Brigade HV,
 - “Pume” Bde,
 - “7 Panteri” Bde,
 - “Panteri” Bde,
 - Varazdin HV Bde,
 - Varazdin Bde,
- 8 Gardjiska HV Bde,
 - 101 HV Bde - possibly also referred to as:
 - Units of 101 “R” Brigade - ZNG,
 - 101 “R” Bde,
 - 101 ZNG Bde,
- 102 HV Bde,
- 103 HV Bde,
- 105 HV Bde,
- 108 HV Bde,
- 109 HV Bde - possibly also referred to as:
 - Vinkovci Bde,
 - Vinkovci HV Bde,
 - 109 Vinkovci Bde,
- 111 HV Bde - possibly also referred to as:
 - “Zmajevi” Bde,
 - 111 “Zmajevi” Bde,
- 112 HV Bde - possibly also referred to as:
 - Bde “Sveti Krsevan”,
 - 112 “Sveti Krsevan” Bde,
- 113 HV Bde - possibly also referred to as:
 - Sibenik Bde,
 - 113 Sibenik Bde,

- 14HVBde,
 - 115 HV Bde - possibly also referred to as:
 - "Imotska" Bde Imotski,
 - 115 Imotska Bde,
 - 116 R Brigade Metkovic - possibly also referred to as:
 - 116 HV Bde,
 - 116 Metkovic Bde,
 - 116 "R" Bde,
 - 122 HV Bde,
 - 123 HV Bde - possibly also referred to as:
 - Units of 2123 R HV,
 - 2123 R Bde HV
 - 131 HV Bde,
 - 153 Velika Gorica Bde HV,
 - 156 HV Bde,
 - 163 HV Bde, Dubrovnik - possibly also referred to as:
 - 163 Dubrovnik Bde,
 - 175 Brigade HV, Zagreb,
 - 175 Zagreb Bde,
 - Filipovic Bn, Zagreb,
 - Sibenik Bde - possibly also referred to as:
 - 15 Bde,
 - 113 Bde,
 - 159 Bde,
 - Black Legions Unit,
 - HV Military Police,
 - "Matija Vlacic" Bde Zagreb,
 - "Grmovi" Bde Ogulin - possibly also referred to as:
 - 143 Bde
 - 143 Ogulin Bde,
- XII. All Croatian Government Ministry of Defence documents and records reflecting the death, wounding or injury to HV military personnel which occurred in the Republic of Bosnia and Hercegovina from 1 January 1993 to 1 January 1994.
- XIII. Telephone roll call records between the Ministry of Defence, Republic of Croatia, and the General Staff and the Ministry of Defence of Herceg Bosna, Mostar, Republic of Bosnia and Hercegovina, from 1 April to 1 January 1994.

HEREBY DIRECT the Republic of Croatia to ensure compliance with said *subpoena duces tecum*.

HEREBY DIRECT, in the event of non-production of the aforementioned documents, that

1. a representative of the Republic of Croatia and
2. Defence Minister Gojko Susak, Ministry of Defence, Republic of Croatia, or his representative

appear before me at 9:00 a.m. on 14 February 1997 to show cause why this Order has not been complied with.

Gabrielle Kirk McDonald
Judge, Trial Chamber
International Criminal Tribunal for the former Yugoslavia

Date

Place

Seal of the Tribunal

(Reproduction of a faxed document)