



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

Case No. IT-94-1-T
Date: 20 September 1995
Original: English and French

IN THE TRIAL CHAMBER

Before: Judge McDonald, Presiding
Judge Stephen
Judge Vohrah

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 20 September 1995

THE PROSECUTOR

v.

DUŠKO TADIĆ a/k/a/ "DULE"

**ORDER SCHEDULING HEARING
OF PRELIMINARY MOTIONS**

The Office of the Prosecutor:

Mr. Grant Niemann Ms. Brenda Hollis
Mr. Alan Tieger Mr. William Fenrick
Mr. Michael Keegan

Counsel for the Accused:

Mr. Michail Wladimiroff
Mr. Alphons Orié
Mr. Milan Vujin
Mr. Krstan Simić

THE TRIAL CHAMBER

HAVING CONSIDERED the Amended Indictment confirmed by Judge Karibi-Whyte on 1 September 1995, and

HAVING CONSIDERED the schedule for further filings proposed by the parties,

WITH THE AGREEMENT OF THE PARTIES

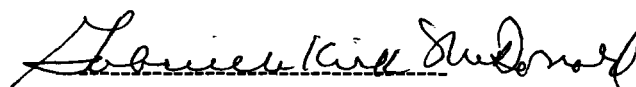
PURSUANT TO RULE 54

AND SUBJECT TO THE DECISION OF THE APPEALS CHAMBER

HEREBY ORDERS:

- (1) the Defence shall file amended versions of the motions now pending on (a) the form of the indictment, (b) the principle of *non-bis-in-idem*, both filed on 23 June 1995 and (c) the motion to suppress the production of evidence from the accused filed on 3 July 1995 by Friday 22 September 1995;
- (2) the Office of the Prosecutor shall file its response to the motion on the principle of *non-bis-in-idem* and the motion to suppress the production of evidence from the accused by Friday 29 September 1995;
- (3) the Office of the Prosecutor shall file its response to the motion on the form of the indictment by Friday 6 October 1995;
- (4) the Defence shall file by Friday 29 September 1995 its response to the Prosecutor's motion for protective measures for a witness filed on 31 July 1995;
- (5) the initial appearance of the accused in respect of the new charges contained in the Amended Indictment shall take place on Tuesday 24 October 1995 at 10 a.m.;
- (6) if, at the time of the initial appearance, the Appeals Chamber has not yet rendered its decision on the interlocutory appeal on jurisdiction filed by the Defence, the Defence may, on that date, file a motion challenging jurisdiction in respect of the Amended Indictment;
- (7) the Office of the Prosecutor shall have seven days from the date of filing of any such motion to file its response;

- (8) in view of the express waiver by the Defence of the right, pursuant to Rule 73 (B), to a sixty-day period after the initial appearance in which to file preliminary motions in connection with the Amended Indictment, a date for hearing the Defence motions referred to in paragraph (1) above and the Prosecutor's motion referred to in paragraph (4) above shall be set down for hearing on Tuesday 24 October 1995, immediately following the initial appearance referred to in paragraph (5) above; and
- (9) a date for commencement of the trial shall be set by agreement at the close of the arguments on the preliminary motions.



Gabrielle Kirk McDonald
Presiding Judge

Dated *20* September 1995
At The Hague
The Netherlands

[Seal of the Tribunal]