



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-97-24-PT

Date: 23 June 1998

English

Original: French

BEFORE A JUDGE OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fouad Riad
Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh
Decision of: 23 June 1998

THE PROSECUTOR

v.

MILAN KOVAČEVIĆ

REVIEW OF THE INDICTMENT

The Office of the Prosecutor

**Ms. Brenda Hollis
Ms. Ann Sutherland
Mr. Michael Keegan**

Defence Counsel:

**Mr. Dusan Vučićević
Mr. Anthony D'Amato**

I, Fouad Riad, Judge of Trial Chamber I of the Tribunal, acting as the duty judge pursuant to Rule 28 of the Rules of Procedure and Evidence (hereinafter “the Rules”),

NOTING the Appeals Chamber order of 29 May 1998 ordering the Trial Chamber seized of the case *The Prosecutor v. Milan Kovačević* (hereinafter “the Trial Chamber”) to grant leave to amend the indictment,

NOTING the order of the Trial Chamber dated 2 June 1998 granting the requested amendment to the indictment and setting the initial appearance of Milan Kovačević in respect of the new counts in the amended indictment for 12 June 1998,

NOTING the motion of the Defence dated 4 June 1998 in which the Defence indicates, *inter alia*, that it is ready to proceed to trial on the basis of the counts in the indictment initially confirmed and in the amended indictment on the date scheduled, that is, 6 July 1998,

NOTING the scheduling order of the Trial Chamber dated 8 June 1998 postponing the further appearance of the accused to 6 July 1998 and setting the time limit for the Defence to file any preliminary motions and for the Prosecution to respond,

NOTING the note from the Presiding Judge of the Trial Chamber to the President of the Tribunal dated 17 June 1998,

NOTING the order of the President of the Tribunal submitting the amended indictment to me for review,

CONSIDERING that, pursuant to the express order of the President of the Tribunal, the status of the amended indictment must be finalised immediately so that the trial may begin on the scheduled date of 6 July 1998,

CONSIDERING that I deem that I possess all the elements required in the case, with no need to hold an additional hearing; and that the materials produced by the Prosecutor in support of the requested amendments to the indictment also appear to me to provide grounds which justify charging the accused, Milan Kovačević, with the new counts derived therefrom,

FOR THE FOREGOING REASONS,

CONFIRM the amended indictment as already filed with the Registry.

Done in French and English, the French version being authoritative.

Done this twenty-third day of June 1998,

At The Hague,

The Netherlands

(signed)

Judge Fouad Riad

(Seal of the Tribunal)