

IN THE APPEALS CHAMBER

Before:

Judge Mohamed Shahabuddeen, Presiding

Judge Wang Tiewa

Judge Rafael Nieto-Navia

Registrar:

Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of:

23 March 1999

PROSECUTOR

v.

**BLAGOJE SIMIC
MILAN SIMIC
MIROSLAV TADIC
STEVAN TODOROVIC
SIMO ZARIC**

SCHEDULING ORDER

The Office of the Prosecutor

Ms. Anne-Birgitte Haslund

Ms. Mary MacFadyen

Ms. Nancy Paterson

Defence Counsel

Mr. Branimir Avramovic for Milan Simic

Mr. Igor Pantelic, for Miroslav Tadic

Mr. Deyan Ranko Brashich, for Stevan Todorovic

Mr. Borislav Pisarevic, for Simo Zaric

THIS BENCH OF THREE JUDGES OF THE APPEALS CHAMBER of the 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 ("International Tribunal"),

NOTING the Request for Provisional Release of Mr. Miroslav Tadic before Trial Chamber III, filed 19 January 1999 ("Request");

NOTING the Scheduling Order of Trial Chamber III, filed 29 January 1999 ("Scheduling Order");

NOTING the Decision on Motion for Provisional Release of Miroslav Tadic by Trial Chamber III, filed 15 February 1999 ("Decision");

NOTING the Addendum to Defense Motions for Provisional Release of Mr. Miroslav Tadic and Mr. Simo Zaric, filed 18 February 1999;

NOTING the Application for Leave to Appeal the Decision Regarding Provisional Release, filed on 2 March 1999 ("Application for Leave to Appeal");

NOTING the Order of the President for the Assignment of Judges to a Bench of the Appeals Chamber, filed 11 March 1999;

NOTING the Application for a Scheduling Order Under Rule 116*bis*(B), filed by the Prosecution on 15 March 1999;

NOTING that the Application for Leave to Appeal was filed pursuant to Sub-rule 73(B) and Rule 127 of the Rules of Procedure and Evidence ("Rules");

NOTING that the Scheduling Order provided that oral argument on the Request would be heard on 23 February 1999 and that the Application for Leave to Appeal was filed within seven days of this date;

FINDING that in these circumstances there is good cause within the meaning of Sub-rule 127(A)(ii) of the Rules for recognizing that the Application for Leave to Appeal was validly filed;

ORDERS as follows:

1. The Application for Leave to Appeal is accepted as having been filed in time;
2. The Prosecution shall file a Response to the Application for Leave to Appeal by 30 March 1999;
3. The Appellant may file a Reply by 6 April 1999.

After which time the Bench of the Appeals Chamber will rule upon the admissibility of the Application without any further filings or hearings.

Done in both English and French, the English text being authoritative.

Mohamed Shahabuddeen
Presiding

Dated this twenty-third day of March 1999
At The Hague
The Netherlands

[Seal of the Tribunal]