

IN THE APPEALS CHAMBER

Before:

**Judge Mohamed Shahabuddeen, Presiding
Judge Lah Chand Vohrah
Judge Rafael Nieto-Navia
Judge Patricia Wald
Judge Fausto Pocar**

Registrar:

Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of:

21 November 2000

THE PROSECUTOR

v.

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

SCHEDULING ORDER

Representatives for NATO and the Relevant States

Counsel for the Prosecutor

Mr. Graham Blewitt

Counsel for the Accused

Mr. Slobodan Zecevic, for Milan Simic
Mr. Igor Pentelic and Mr. Novak Lukic, for Miroslav Tadic
Mr. Deyan Ranko Brashich, for Stevan Todorovic
Mr. Borislav Pisarevic and Mr. Aleksander Lazarevic, for Simo Zaric

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 ("the Appeals Chamber" and "the International Tribunal", respectively),

BEING SEIZED OF "Accused Stevan Todorovic's Emergency Motion for Modification of Appeals Chamber's Decision and Scheduling Order Dated November 8, 2000", filed on 14 November 2000 ("the Motion"), whereby an unspecified extension of time is being sought for the filing of the response of the accused Stevan Todorovic to the written briefs of the Prosecutor, and Canada, Denmark, France,

Germany, Italy, the Netherlands, Norway, United Kingdom and the United States of America ("the Relevant States"), and the North Atlantic Treaty Organisation ("NATO"), and a consequential postponement of the oral hearing of the review;

NOTING the "Scheduling Order", issued by the Appeals Chamber on 15 November 2000, whereby the Appeals Chamber gave "liberty to the Relevant States, NATO, the Prosecutor and the defence for Milan Simic, Miroslav Tadic and Simo Zaric, to respond to the Motion by 1600 hours, Friday 17 November 2000" ("the Scheduling Order");

NOTING the "Response of the United States of America to Scheduling Order of 15 November 2000" filed on 17 November 2000, whereby the United States of America *inter alia*, opposes the rescheduling of the oral hearing;

NOTING the "Prosecutor's Response to Accused Stevan Todorovic's Emergency Motion for Modification of Appeals Chamber's Decision and Sentencing Order Dated November 8, 2000", filed on 17 November 2000 by the Prosecutor, whereby the Prosecutor *inter alia*, opposes the rescheduling of the oral hearing;

NOTING the "Joint Defense Response to the Appeals Chamber Decision and Scheduling Order of November 8, 2000, and Todorovic Defense Emergency Motion of November 13, 2000", filed on 17 November 2000 by the Defence for Milan Simic, Miroslav Tadic and Simo Zaric, whereby the co-accused support the Motion;

CONSIDERING that only the United States of America and the Prosecutor oppose the extension of time and that there has been no response to the Scheduling Order from NATO or any of the other Relevant States;

CONSIDERING that the co-accused Milan Simic, Miroslav Tadic and Simo Zaric, support an extension of time;

HAVING REGARD to the importance and complexity of the issues raised in the review;

HEREBY GRANTS the Motion;

DIRECTS that Stevan Todorovic as well as Milan Simic, Miroslav Tadic and Simo Zaric, may by Friday 15 December 2000 file a response to the written briefs by the Relevant States, NATO and the Prosecutor; and

ORDERS that an oral hearing in this matter shall take place on Wednesday 10 January 2001 at 10:00 a.m., and further orders that at the said hearing, the following may be heard: Canada, Denmark, France, Germany, Italy, the Netherlands, Norway, United Kingdom, and the United States of America, and NATO, the Prosecutor, and the co-accused Milan Simic, Miroslav Tadic and Simo Zaric. Those co-accused currently on provisional release need not attend the oral hearing.

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

Judge Mohamed Shahabuddeen
Presiding

Dated this twenty-first day of November 2000
At The Hague,

The Netherlands.

[Seal of the Tribunal]