

IT-01-43-PT
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03 SEPTEMBER 2001

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UNITED
NATIONS



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: IT-01-43-PT
Date: 3 September 2001
Original: English

IN THE TRIAL CHAMBER

Before: Judge David Hunt, Pre-Trial Judge
Registrar: Mr Hans Holthuis
Decision of: 3 September 2001

PROSECUTOR

v

Dragan OBRENOVIĆ

ORDER

The Office of the Prosecutor:

Mr Peter McCloskey
Mr Mark Vlastic
Janet Stewart

Counsel for accused

Mr David Wilson

I, Judge David Hunt, Pre-Trial Judge,

NOTING the “Defense Motion on the Form of the Indictment” (“Defence Motion”) filed on 27 July 2001;

NOTING the “Prosecution Motion for Additional Time to Respond to Defence Motion on the Form of the Indictment” (“Prosecution Motion”) in which the Prosecutor seeks an extension of time to respond to the Defence Motion;

NOTING the “Prosecution Second Motion for Additional Time to Respond to Defence Motion on the Form of the Indictment” (“Second Motion”) filed on 17 August 2001, and the “Addendum to Prosecution Second Motion for Additional Time to Respond to Defence Motion on the Form of the Indictment” (“Addendum”) filed on 22 August 2001, in which the Prosecutor seeks a further extension of time to respond to the Defence Motion to allow an application for joinder to be filed joining the trial of the defendant Dragan Obrenović with defendants Vidoje Blagojević and Dragan Jokić ;

NOTING the “Prosecution Motion to Stay the Prosecution’s Reply to the Defence Motion on the Form of the Indictment” (“Prosecution Motion to Stay”) filed on 30 August 2001, in which the Prosecutor seeks a stay to the Defence Motion until the Trial Chamber has determined the joinder application, such application to be filed on or before 6 September 2001 and to be determined on the basis of the proposed amended indictment attached to the application indicting the defendant Dragan Obrenović with defendants Vidoje Blagojević and Dragan Jokić;

CONSIDERING the email correspondence of Counsel for the defendant Dragan Obrenović of 29 August 2001 in which the defence advises that it “has no position at this time” on whether the Trial Chamber should await the joinder application of the Prosecutor before ruling on the Defence Motion;

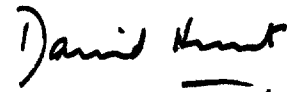
CONSIDERING that it is appropriate for the joinder application to be determined prior to the Defence Motion on the form of the indictment;

PURSUANT TO Rule 65 *bis* of the Rules;

HEREBY ORDER the stay of the Defence Motion to the form of the indictment until further order.

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

Dated this 3rd day of September 2001,
At The Hague,
The Netherlands.



Judge David Hunt
Pre-Trial Judge

[Seal of the Tribunal]