



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-01-42-PT
Date: 27 February 2002
Original: English

BEFORE THE TRIAL CHAMBER

Before: Judge Liu Daqun, Presiding
Judge Amin Elmahdi
Judge Alphons Orie

Registrar: Mr. Hans Holthuis

Order of: 27 February 2002

PROSECUTOR

v.

PAVLE STRUGAR

**SCHEDULING ORDER
(DEFENCE PRELIMINARY MOTION)**

The Office of the Prosecutor:

Ms. Susan Somers

Counsel for the Accused:

**Mr. Goran Rodić
Mr. Vladimir Petrović**

TRIAL CHAMBER I (“the 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 1992 (“the Tribunal”);

BEING SEIZED of the “Defence Preliminary Motion” filed by the accused Pavle Strugar (the “Accused”), pursuant to Rule 72(A)(i) and (ii) of the Rules of Procedure and Evidence of the International Tribunal (the “Rules”), on 18 January 2002 (the “Motion”), in which the Accused both challenges the jurisdiction of the Tribunal and alleges defects in the form of the indictment;

NOTING the “Prosecution’s Response to Defence Preliminary Motion Challenging Jurisdiction,” and the “Prosecution’s Response to ‘Defendant’s Preliminary Motion Challenging Jurisdiction and Objecting to the Form of the Indictment,’” both filed on 1 February 2002;

NOTING the “Consolidated Corrigenda and Supplemental Sourcing to Prosecution’s Responses to Defence Preliminary Motions Alleging Defects in the Form of the Indictment and Challenging Jurisdiction,” filed on 6 February 2002;

NOTING the “Decision on the Defence Request for Leave to Reply and Extension of Time,” filed on 6 February 2002, in which the Trial Chamber first, granted leave to the Accused to file a reply by 15 February 2002, pursuant to the Accused’s request contained in the “Defence Request for Leave to Reply and Extension of Time,” filed on 5 February 2002 and second, granted leave to the Prosecution to file a response, if any, within seven days from the date any reply was filed;

NOTING the “Defence Reply to the Prosecution’s Response to the Defence Preliminary Motion,” filed on 15 February 2002;

NOTING the “Prosecution’s Response to the ‘Defence Reply to the Prosecution’s Response to the Defence Preliminary Motion,’” filed on 21 February 2002;

CONSIDERING that, in view of the particular issues raised in the Motion and as argued in the various filings referred to above, it is in the interests of justice for further argument to be heard by the parties;

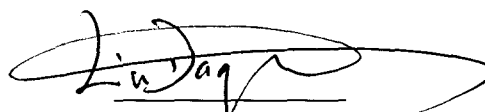
PURSUANT to Rule 54 of the Rules,

HEREBY ORDERS that:

1. a hearing will take place before the Trial Chamber on Tuesday 12 March 2002, at 2:30pm, during which the Trial Chamber will hear arguments from both Counsel for the Accused and the Prosecution;
2. the Accused, being entitled to attend this hearing shall file a notice if he wishes to attend, by Tuesday 5 March 2002.

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

Dated this twenty-seventh day of February 2002,
At The Hague,
The Netherlands



Judge Liu Daqun
Presiding Judge

[Seal of the Tribunal]