

IT-02-58-1
D 28-D27
28 MARCH 2002

28 KB

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

Case No. IT-02-58-I

Before: Judge Wolfgang Schomburg

Registrar: Mr. Hans Holthuis

Decision of: 26 March 2002

THE PROSECUTOR

v.

LJUBIŠA BEARA

**ORDER ON REVIEW OF INDICTMENT PURSUANT
TO ARTICLE 19 OF THE STATUTE**

I, Judge Wolfgang Schomburg, Judge 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");

BEING SEISED of an indictment and supporting material provided by the Office of the Prosecutor ("the Prosecutor") between 21 February and 26 March 2002;

AND BEING SEISED of a pleading entitled "Presentation of an Indictment for Review and Application for Warrants of Arrest and for Related Orders and a Decision Concerning an Order for Non-Disclosure" dated 22 November 2001, and of a subsequent pleading entitled "Motion to File Revised Indictments and Additional Supporting Materials, and to Reactivate Supporting Material Filed on 26 November 2001" dated 26 March 2002, the latter pleading indicating a withdrawal of the Prosecution's request for an order for non-disclosure with respect to **LJUBIŠA BEARA**;

HAVING HEARD the Prosecutor pursuant to Rules 47 and 53 of the Rules of Procedure and Evidence ("the Rules") between 28 February and 26 March 2002, and particularly on 26 March 2002;

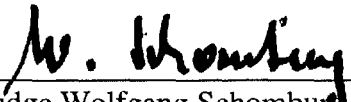
CONSIDERING on the basis of the material submitted by the Prosecutor that a *prima facie* case against **LJUBIŠA BEARA** in respect of the crimes with which he is charged in the indictment has been established;

PURSUANT TO Article 19 of the Statute of the International Tribunal and Rules 47, 53, 53 *bis*, 54, 55 and 59 *bis* of the Rules;

I HEREBY CONFIRM the indictment in respect of each and every count therein, and

ORDER that copies of the arrest warrant, addressed individually to “the Prosecutor”, “the Federal Republic of Yugoslavia”, “the Ukraine” and “the Russian Federation” shall be transmitted to the Prosecutor, who may, in her discretion, transmit them to the International Stabilisation Force (“SFOR”) and/or the authorities of the Federal Republic of Yugoslavia, the Ukraine, the Russian Federation, any Member State of the United Nations, or Switzerland;

Done in English and the English text being authoritative.



Judge Wolfgang Schomburg
International Tribunal

Dated this twenty sixth day of March 2002
At The Hague,
The Netherlands

[Seal of the Tribunal]