



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-02-54-T
Date: 18 April 2002
Original: English

IN THE TRIAL CHAMBER

Before: Judge Richard May, Presiding
Judge Patrick Robinson
Judge O-Gon Kwon

Registrar: Mr. Hans Holthuis

Order of: 18 April 2002

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION REQUEST FOR AGREEMENT
OF TRIAL CHAMBER TO AMENDED SCHEDULE OF FILINGS**

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice

Ms. Hildegard Uertz-Retzlaff
Mr. Dermot Groome

The Accused

Slobodan Milošević

Amici Curiae

Mr. Steven Kay, QC
Mr. Branislav Tapušković
Prof. Mischa Wladimiroff

THIS TRIAL 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”),

BEING SEISED of a “Prosecution Request for Agreement of Trial Chamber to Amended Schedule of Filings”, filed by the Office of the Prosecutor (“Prosecution”) on 11 April 2002 (“the Request”), seeking a variation of the Trial Chamber’s order that its pre-trial brief, witness list and exhibit list under Rule 65 *ter* (E)(ii), Rule 65 *ter* (E)(iii) and Rule 66 (A)(ii) (“pre-trial material”) in the Croatia and Bosnia parts of the case be filed by 30 April 2002,

NOTING that in the Request, the Prosecution states that two factors motivate its application:

- (a) the Trial Chamber’s order that it is to finish its case within one year will involve a substantial reconsideration of its selection of evidence for the Croatia and Bosnia cases and this in turn will effect its witness and exhibit selection, and therefore its Rule 65 *ter* and Rule 66 (A)(ii) disclosure. The extra time, it is said, will assist in revising its case strategy and ultimately therefore save time for the Trial Chamber and the accused; and
- (b) internal difficulties with its document management system have impeded its ability to meet its obligations.

NOTING that the Prosecution proposes in its Request to stagger its disclosure of pre-trial material between 30 April and 1 August 2002, including filing the pre-trial brief on 1 June and partial disclosure of exhibit and witness lists on 30 April, 1 June, 1 July and 1 August, as part of an overall “work plan”,

CONSIDERING that it would be undesirable from the point of view of both the accused and the Trial Chamber to receive staggered disclosure of the pre-trial material,

CONSIDERING that it is important that the Prosecution disclose the pre-trial material in sufficient time so that the accused has an opportunity to prepare his defence to the Croatia and Bosnia parts of the trial and that the charges relating to these two indictments are currently scheduled to be heard from 26 August,


CONSIDERING HOWEVER that, in light of the Trial Chamber's order that the Prosecution complete its case within 1 year from 10 April 2001, the Trial Chamber is willing to grant a further extension of time within which the Prosecution is to file its pre-trial material, but notes that it expects the Prosecution to take steps, as referred to in its Request, to revise its case strategy to enable it to meet the deadline set by the Chamber,

PURSUANT TO RULES 65 *ter*, 66 and 127 of the Rules of Procedure and Evidence of the International Tribunal

HEREBY ORDERS AS FOLLOWS:

- (1) That the Prosecution shall file its pre-trial material by 1 June 2002 and that thereafter any pre-trial material may be admitted only on good cause being shown;
- (2) That the Request is otherwise rejected.

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


Richard May
Presiding

Dated this eighteenth day of April 2002
At The Hague
The Netherlands

[Seal of the Tribunal]