



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-95-13/1-PT  
Date: 04 July 2002  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Wolfgang Schomburg, Presiding  
Judge Florence Ndepele Mwachande Mumba  
Judge Carmel A. Agius

**Registrar:** Mr. Hans Holthuis

**Decision of:** 04 July 2002

**PROSECUTOR**

v.

**MILE MRKŠIĆ**

---

**SCHEDULING ORDER**

---

**The Office of the Prosecutor:**

Ms. Hildegard Uertz - Retzlaff  
Mr. Mark J. McKeon

**Counsel for the Accused:**

Mr. Miroslav Vasić

**TRIAL CHAMBER II** (“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 1991 (“the Tribunal”);

**NOTING** the “Defence Motion for Provisional Release” (“the Motion”) of Accused Mile Mrkšić (“the Accused”) on 23 May 2002 requesting provisional release from detention on humanitarian grounds relating to his health, subject to certain terms and conditions set out in the Motion;

**NOTING** the “Order on Mile Mrkšić’s Motion of Provisional Release” dated 31 May 2002 instructing the Head of the United Nations Detention Unit (“the Unit”) to file a report on the current medical treatment, conditions and facilities, including any special dietary needs being provided to the Accused;

**NOTING** the “Order on Mile Mrkšić’s Motion of Provisional Release” dated 31 May 2002 ordering a medical examination of the Accused by experts identified by the Registry;

**NOTING** the Report dated 03 June 2002 filed by the Medical Officer of the Unit on the health condition of the Accused;

**NOTING** the “Urgent Request for Hearing on Motion for Provisional Release” filed by the Accused on 30 May 2002, for hearing two expert witness doctors who participated in his rehabilitation;

**NOTING** the “Prosecution’s Response to Motion for Provisional Release Filed by the Accused Mile Mrkšić” to the Motion filed on 05 June 2002 objecting to the Motion;

**NOTING** the “Guarantee of the Federal Government of the Federal Republic of Yugoslavia and the Government of the Republic of Serbia” dated 13 June 2002, for the return of the Accused to the Tribunal if provisionally released by the Tribunal;

**NOTING** the “Additional Defence Submission to Defence Motion for Provisional Release” filed on 27 June 2002 to schedule a hearing on the Motion;

**CONSIDERING** that the medical report requested by Order dated 31 May 2002 has not yet arrived, but will be filed in due course;

**CONSIDERING** that the Chamber is of the view that it is appropriate, prior to considering whether there are sufficient grounds to take a decision pursuant to Rule 65 of the Rules of Procedure and

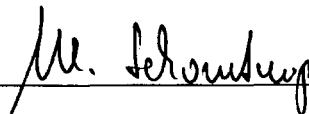
Evidence ("Rules") to organise a hearing on the Motion, thereby allowing all parties involved to make their oral submissions on the Motion and on the conclusions of the Medical Reports;

**PURSUANT TO** Rule 54 of the Rules;

**ORDERS** that a hearing on the Motion and on the conclusions of the medical reports will be held on Friday, 19 July 2002, between 16.15 hours and 17.15 hours, during which counsel for the Prosecution and the Accused will have the opportunity to make representations.

The Chamber will rule upon the Motion after hearing the submissions of the parties.

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

  
\_\_\_\_\_  
**Wolfgang Schomburg**  
Presiding Judge

Dated this Fourth day of July 2002,  
At The Hague  
The Netherlands

[Seal of the Tribunal]