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24 JULY 2002

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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 No.: IT-02-61-PT
Date: 24 July 2002
Original: English

IN TRIAL CHAMBER II

**Before: Judge Florence Ndepele Mwachande Mumba
Pre-trial Judge**

Registrar: Mr. Hans Holthuis

Decision of: 24 July 2002

THE PROSECUTOR

v.

MIROSLAV DERONJIĆ

ORDER FOR FILING MOTIONS

The Office of the Prosecutor:

Mr. Mr. Mark Harmon

Counsel for the Accused

Mr. Slobodan Cvijetić

I, Florence Ndepele Mwachande Mumba, 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 (“Tribunal”),

HAVING BEEN DESIGNATED pre-trial Judge in the present matter by the “Order Designating a Pre-Trial Judge” issued by Trial Chamber II of the Tribunal on 22 July 2002;

PURSUANT to Rule 54 of the Rules of Procedure and Evidence of the Tribunal and in order to regulate the filing of and responses to written motions in this case:

HEREBY ORDERS:

1. Subject to the terms of this order, no written motion may be filed on a “confidential” basis unless the Pre-Trial Judge or another Judge of the Trial Chamber grants leave for it to be so filed. Applications for leave must be made in writing, stating the basis for the application. They may be filed on an *ex parte* basis. The following filings are, however, excluded from the requirement that leave be sought before they may be filed on a “confidential” basis:
 - (i) all *ex parte* applications, whatever their nature;
 - (ii) all applications that relate to ongoing investigations, pending indictments and sealed indictments;
 - (iii) all *inter partes* applications for witness protection concerning specific persons;
and
 - (iv) all responses to confidential motions and all applications that relate to decisions of the Trial Chamber concerning confidential motions or hearings;
2. The party filing a written motion shall include a draft order for relief with the motion submitted to the Trial Chamber;
3. Unless otherwise ordered, the party receiving a written motion has fourteen calendar days from the date that the motion was filed to file its response, if any;
4. A reply may be filed by the party that filed the motion only in relation to matters raised in the response of the opposing party that go beyond the issues raised in the motion and

only with the leave of the Trial Chamber. Applications for leave must be made in writing, identifying the issues on which leave to reply is sought. The order granting leave to file a reply will set a time for any further response to be filed;

5. Either party may request oral argument on the written motion, but the request will be granted only if the Trial Chamber approves the need for oral argument, taking into account the necessity for a fair and expeditious trial.

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

Dated this twenty fourth day of July 2002,

At The Hague,

The Netherlands



Florence Ndepele Mwachande Mumba

Pre-trial Judge

[Seal of the Tribunal]