



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-95-9-T
Date: 29 November
2002
Original: English

IN TRIAL CHAMBER II

Before: Judge Florence Ndepele Mwachande Mumba, Presiding
Judge Sharon A. Williams
Judge Per-Johan Viktor Lindholm

Registrar: Mr. Hans Holthuis

Judgement of: 29 November 2002

PROSECUTOR

v.

**BLAGOJE SIMIĆ
MIROSLAV TADIĆ
SIMO ZARIĆ**

**ORDER ON THE PROCEDURE TO BE FOLLOWED
PURSUANT TO RULE 92 *BIS***

The Office of the Prosecutor:

Mr. Gramsci Di Fazio
Mr. Philip Weiner
Mr. David Re

Counsel for the Accused:

Mr. Igor Pantelić and Mr. Srdjan Vuković for Blagoje Simić
Mr. Novak Lukić and Mr. Dragan Krgović for Miroslav Tadić
Mr. Borislav Pisarević and Mr. Aleksandar Lazarević for Simo Zarić

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 (“Tribunal”),

NOTING the “Joint Defence Motion in respect to Admission of Evidence pursuant to Rule 92 *bis*” (“Motion”) filed jointly by the Defence for Blagoje Simić, Miroslav Tadić and Simo Zarić (“Defence”) confidentially on 28 November 2002,

NOTING the oral ruling of the Trial Chamber regarding the presentation of evidence pursuant to Rule 92 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”) at the pre-defence conference on 7 November 2002,

NOTING the “Practice Direction on Procedure for the Implementation of Rule 92 *bis* (B) of the Rules of Procedure and Evidence” dated 20 July 2001 (“Practice Direction”),

CONSIDERING that the Trial Chamber will rule on the admission of the statements pursuant to Rule 92 *bis* of the Rules once they are submitted,

PURSUANT TO Rules 54 and 92 *bis* of the Rules,

HEREBY ORDERS that the Defence should follow the procedure set out in the Practice Direction at the earliest opportunity, and not later than 10 December 2002, so that the statements taken pursuant to Rule 92 *bis* can be submitted to the Trial Chamber as soon as possible.

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



Florence Ndepele Mwachande Mumba
Presiding

Done this twenty-ninth day of November 2002,
At The Hague,
The Netherlands.

[Seal of the Tribunal]