



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-02-60-PT
Date: 6 December 2002
Original: English

IN TRIAL CHAMBER II

Before: Judge Wolfgang Schomburg, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 6 December 2002

PROSECUTOR

v.

**VIDOJE BLAGOJEVIĆ
DRAGAN OBRENOVIĆ
DRAGAN JOKIĆ
MOMIR NIKOLIĆ**

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Mr. Michael Karnavas and Ms. Suzana Tomanović for Vidoje Blagojević
Mr. David Wilson and Mr. Dušan Slijepčević for Dragan Obrenović
Mr. Miodrag Stojanović and Ms. Cynthia Sinatra for Dragan Jokić
Mr. Veselin Londrović and Mr. Stefan Kirsch for Momir Nikolić

I, 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 (“Tribunal”),

NOTING that the last Status Conference in these proceedings was held on 27 November 2002,

NOTING that pursuant to Rule 65 *bis* of the Rules, within one hundred and twenty days after the last Status Conference, a new Status Conference needs to be convened,

NOTING that the trial in this case is scheduled to commence on 6 May 2003,

NOTING that pursuant to Rule 73 *bis* of the Rules, a Pre-Trial Conference shall be convened by the Trial Chamber prior to the commencement of the trial,

CONSIDERING that in order for this trial to commence as scheduled, the parties must file their pre-trial briefs pursuant to Rule 65 *ter* (E)(i) and Rule 65 *ter* (F) of the Rules,

NOTING that the Office of the Prosecutor (“Prosecution”) filed its pre-trial brief in English on 1 November 2002, pursuant to Rule 65 *ter* (E)(i), and that at the time of the Status Conference, the Prosecution pre-trial brief was not available in a language that any of the Accused in this case could understand,

NOTING FURTHER that the Prosecution filed a two-part report with supporting materials of expert witness Rick Butler pursuant to Rule 94 *bis* on 31 October and 1 November 2002 (collectively “Butler Report”), and that at the time of the Status Conference, the complete and updated Butler Report was not available in a language that any of the Accused in this case could understand,

NOTING that the defence for the four Accused in this case (“Defence”) had been ordered to file their pre-trial briefs by 10 December 2002 pursuant to Rule 65 *ter* (F), and that the Defence requested that the date for the submission of their pre-trial briefs be delayed due to the fact that the Defence had not been able to consult in detail with the Accused on the contents of the Prosecution pre-trial brief or the Butler Report as these two documents have not yet been translated into BCS,

CONSIDERING that the Trial Chamber finds it necessary that the Accused be able to read the Prosecution pre-trial brief and other significant documents including the Butler Report in a language that they can understand,

RECALLING that the Trial Chamber therefore ordered at the Status Conference on 27 November 2002 that the Prosecution pre-trial brief be translated in full into BCS no later than 10 December

2002, and granted the request of the Defence, ordering that the Defence pre-trial briefs be filed by 10 January 2003,

RECALLING FURTHER that in light of the fact that the Butler Report is not expected to be translated by 10 January 2003, the Trial Chamber announced that it will grant leave to file an amendment to the Defence pre-trial briefs within thirty days of the date that the BCS translation of the Butler Report is filed,

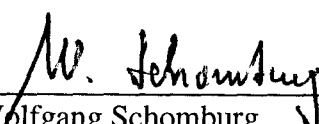
PURSUANT TO Rule 54, Rule 65 *bis*, Rule 65 *ter* and Rule 73 *bis* of the Rules,

HEREBY CONFIRM ALL ORAL ORDERS AND FURTHER ORDER that:

1. The Prosecution pre-trial brief be translated into BCS by 10 December 2002;
2. The Defence pre-trial briefs be filed by 10 January 2003;
3. The Defence may file an amendment to their pre-trial briefs within 30 days of the date that the BCS version of the Butler Report is filed;
4. A joint Status Conference-Pre-Trial Conference be held on 25 and 26 March 2003; and
5. The trial shall commence on 6 May 2003,

AND INVITE the parties to seek my assistance pursuant to Rule 65 *ter* (I) whenever difficulties arise in relation to any agreement on matters of law and fact as foreseen in Rule 65 *ter* (H).

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



Judge Wolfgang Schomburg
Pre-Trial Judge

Dated this sixth day of December 2002,
At The Hague
The Netherlands

[Seal of the Tribunal]