



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-00-39&40/1-S

Date: 20 December 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: 20 December 2002

PROSECUTOR

v.

BILJANA PLAVŠIĆ

**DECISION GRANTING PROSECUTION'S MOTION TO DISMISS COUNTS
1, 2, 4, 5, 6, 7 AND 8 OF THE AMENDED CONSOLIDATED INDICTMENT**

Office of the Prosecutor:

Mr. Mark Harmon
Mr. Alan Tieger

Counsel for the Accused:

Mr. Robert J. Pavich and Mr. Eugene O'Sullivan, for Biljana Plavšić

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’s Motion to Dismiss Counts 1, 2, 4, 5, 6, 7 and 8 of the Amended Consolidated Indictment” (“the Motion to Dismiss”) filed on 19 December 2002 by the Office of the Prosecutor (“Prosecution”), in which the Prosecution moves the Trial Chamber to dismiss, in respect of Biljana Plavšić, Counts 1, 2, 4, 5, 6, 7 and 8 of the Amended Consolidated Indictment of 7 March 2002 (“the Indictment”),

CONSIDERING paragraphs 3 and 9(a) of the Plea Agreement filed on 30 September 2002, in which Biljana Plavšić agrees to plead guilty to a violation of Article 5(h) of the Statute of the International Tribunal, persecutions on political, racial and religious grounds, as described in Count 3 of the Indictment, in exchange for which the Prosecution agrees to move to dismiss at the time of sentencing the remaining counts in the Indictment,

PURSUANT TO Rule 73 of the Rules of Procedure and Evidence

HEREBY GRANTS the Motion to Dismiss and **DECIDES** to dismiss, in respect of Biljana Plavšić, Counts 1, 2, 4, 5, 6, 7 and 8 of the Indictment.

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



Richard May
Presiding

Dated this twentieth day of December 2002
At The Hague
The Netherlands

[Seal of the Tribunal]