



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-99-37-PT

Date: 13 May 2003

Original: ENGLISH

IN THE TRIAL CHAMBER

Before: Judge Richard May, Presiding
Judge Patrick Robinson
Judge O-Gon Kwon

Registrar: Mr. Hans Holthuis

Order of: 13 May 2003

PROSECUTOR
v.
MILAN MILUTINOVIĆ
DRAGOLJUB OJDANIĆ
NIKOLA ŠAINOVIĆ

EX PARTE

ORDER FOR FURTHER SUBMISSION

Counsel for the Accused

Mr. Tomislav Višnjić, Mr. Vojislav Selžan and Mr. Peter Robinson, for Dragoljub Ojdanić

The North Atlantic Treaty Organization

The Member States of the North Atlantic Treaty Organization:

Belgium, Canada, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Spain, Turkey, United Kingdom, United States of America

Republic of Croatia

Bosnia and Herzegovina

Republic of Albania

Former Yugoslav Republic Macedonia

Bulgaria

Romania

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 “General Ojdanić’s Application for Orders to NATO and States for Production of Information”, filed on 15 November 2002 (“the Application”),

NOTING the various replies received from States pursuant to the Scheduling Order issued by the Trial Chamber on 26 November 2002 (“Scheduling Order”),


NOTING that certain States have objected that the Application is unduly onerous and not strictly justified by the exigencies of the trial, and that General Ojdanić (“the Applicant”) has not shown how the material would assist him,

NOTING ALSO that the Office of the Prosecutor (“Prosecution”) is to file its pre-trial brief by Friday 6 June 2003, which brief will identify the contested matters of fact and of law in these proceedings,

CONSIDERING that Rule 54 *bis* of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) requires the Applicant to “indicate how [the documents sought] are relevant to any matter in issue ... and necessary for a fair determination of that matter”,

HEREBY ORDERS the Applicant to provide to the Trial Chamber, no later than Friday 20 June 2003, a further submission addressing in more detail the relevance of the material sought to the matters in issue in this case, and specifying to what issue each recording, etc., is relevant.

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


Richard May
Presiding

Dated this thirteenth day of May 2003
At The Hague
The Netherlands

[Seal of the Tribunal]