



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-02-54-T

Date: 5 June 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: 5 June 2003

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

CONFIDENTIAL

**DECISION IN PART ON PROSECUTION MOTION FOR ORDERS
PURSUANT TO RULE 54 *bis* AGAINST SERBIA AND MONTENEGRO**

Office of the Prosecutor:

Mr. Geoffrey Nice
Ms. Hildergaard Uertz-Retzlaff
Mr. Dermot Groome

Amici Curiae:

Mr. Steven Kay
Mr. Branislav Tapušković
Mr. Timothy McCormack

The Accused:

Slobodan Milošević

Government of Serbia and Montenegro

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 Application for an Order Pursuant to Rule 54 *bis* Directing the Federal Republic of Yugoslavia to Comply With Outstanding Requests for Assistance”, filed by the Prosecution on 13 December 2002 (“Application”),

NOTING the subsequent submissions of the Prosecution and Serbia and Montenegro with respect to the Application, including the “The Supplemental Information to the Prosecution’s Response to the 6 May 2003 Submission by Serbia and Montenegro Regarding Outstanding Requests for Assistance”, filed by the Prosecution today,

NOTING FURTHER the arguments of the parties made in oral hearings before the Trial Chamber on 10 March 2003 and 3 June 2003,

CONSIDERING that Serbia and Montenegro has provided the Prosecution with some Supreme Defence Council Minutes of meetings identified in the “Priority List of Documents Requested from Serbia and Montenegro for the Case Against Slobodan Milosevic” (referred to in the filings) at Item 8 (or Requests for Assistance numbers 117 and 219),

CONSIDERING the Prosecution request for the urgent provision by Serbia and Montenegro of the stenographic recordings of these meetings (identified at Item 9 of the Priority List), which the Trial Chamber is satisfied constitute a constituent part of the meeting notes already produced,


CONSIDERING that the request satisfies the requirements of Rule 54 *bis* of the Rules of Procedure and Evidence (“Rules”) and that Serbia and Montenegro has provided no acceptable reason for failing to produce this material to date,

NOTING that this is a Decision in part to the Prosecution Application and that the Trial Chamber remains seised of the remainder of the Application,

PURSUANT to Article 29 of the Statute and Rule 54 *bis* of the Rules,

HEREBY ORDERS Serbia and Montenegro to produce, within one month of the date of this Order, the stenographic recordings of the Supreme Defence Council Minutes of meetings identified in the Priority List of Documents (as referred to above) at Item 9 (or Requests for Assistance numbers 117 and 219 as described),

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


Richard May
Presiding

Dated this fifth day of June 2003
At The Hague
The Netherlands

[Seal of the Tribunal]