



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-95-13/1-PT
Date: 25 July 2003
Original: English

IN TRIAL CHAMBER II

Before: Judge Wolfgang Schomburg, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Carmel Agius

Registrar: Mr. Hans Holthuis

Decision of: 25 July 2003

PROSECUTOR

v.

**MILE MRKŠIĆ
MIROSLAV RADIĆ
VESELIN ŠLJIVANČANIN**

SCHEDULING ORDER FOR FILINGS

The Office of the Prosecutor:

Mr. Jan Wubben
Mr. Mark J. McKeon

Counsel for the Accused Mile Mrkšić:

Mr. Miroslav Vasić

Counsel for the Accused Miroslav Radić:

Mr. Borivoje Borović
Ms. Mira Tapusković

The Accused Veselin Šljivančanin

TRIAL CHAMBER II (“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”):

BEING SEISED OF the “Prosecution’s Motion for Leave to File a Consolidated Amended Indictment” (“Motion”), filed by the Office of the Prosecutor (“Prosecution”) on 21 July 2003;

NOTING the “Decision on Form of the Indictment”, filed on 19 June 2003, wherein the Trial Chamber allowed in part challenges to the form of the indictment against the Accused Mile Mrkšić (“Mrkšić”),¹ ordered the Prosecution to file an amended indictment against him no later than 21 July 2003 and indicated that Mrkšić should file further challenges to it, if any, by no later than 20 August 2003;

NOTING further the “Decision Dismissing Miroslav Radić’s “Defence Preliminary Motion”, filed on 25 June 2003, wherein the Trial Chamber ordered that filings relating to the form of the indictment against Radić,² be held in abeyance pending the filing of the Prosecution’s motion for leave to amend it;

NOTING that the Prosecution is now seeking leave to file a Consolidated Amended Indictment (“Consolidated Indictment”) against Mrkšić, Miroslav Radić (“Radić”) and Veselin Šljivančanin (“Šljivančanin”), which includes new charges against Radić and Šljivančanin;

CONSIDERING that Rule 50 (A)(i)(c) of the Rules of Procedure and Evidence (“Rules”) requires the Trial Chamber to hear the parties prior to granting the Prosecution leave to file an amended indictment;

CONSIDERING further that Rule 50(C) grants the accused “a further period of thirty days in which to file preliminary motions in respect of the new charges”;

NOTING that, whilst Mrkšić must confine his objections, if any, to the new aspects of the proposed Consolidated Indictment, this restriction does not apply to Radić and Šljivančanin;

¹ *Prosecutor v Mrkšić*, Case IT-95-13/1, Second Amended Indictment, 29 Aug 2002.

² *Prosecutor v Mrkšić, Radić, Šljivančanin and Dokmanović* (†), Case IT-95-13a-PT, Amended Indictment, 2 Dec 1997.

FOR THE FOREGOING REASONS**PURSUANT TO** Rule 50(A)(i)(c) and (C) and to Rule 54;**HEREBY ORDERS THAT** Mrkšić, Radić and Šljivančanin respectively file a single document containing any response to the Motion pursuant to Rule 50(A)(i)(c) and/or any preliminary motion pursuant to Rule 72 alleging defects on the form of the proposed Consolidated Indictment by no later than 12.00 on 25 August 2003.

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

Dated this twenty-fifth day of July 2003,

At The Hague

The Netherlands


Wolfgang Schomburg**Presiding Judge****[Seal of the Tribunal]**