

**UNITED
NATIONS**

IT-01-42-PT
D 3296 - D 3294
15 DECEMBER 2003

3296
pk



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-01-42-PT
Date: 15 December 2003
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Amin El Mahdi
Judge Joaquín Martín Canivell

Registrar: Mr. Hans Holthuis

Order of: 15 December 2003

PROSECUTOR

v.

PAVLE STRUGAR

**SCHEDULING ORDER FOR THE PRE-TRIAL CONFERENCE
AND THE COMMENCEMENT OF THE TRIAL AGAINST
PAVLE STRUGAR AND DECISION ON PAVLE STRUGAR'S
REQUEST FOR POSPTPONEMENT**

The Office of the Prosecutor:

Ms. Susan Somers

Counsel for the Accused:

Mr. Goran Rodić
Mr. Vladimir Petrović

TRIAL CHAMBER I 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 that part of the Defence “Request for Postponement” dated 28 November 2003 in which the Defence requests the Trial Chamber to postpone the pre-trial conference and the commencement of the trial until “hospitalisation and necessary medical treatment are completed”,

NOTING this Chamber’s Decision and Order Relating to the Accused’s Request for Postponement dated 1 December 2003 in which the Chamber determined that “there is no urgent reason to take any decision now on a postponement of the start of the trial or the pre-trial conference” and that “a decision on the remaining questions raised in the Request, relating to a possible postponement of the trial or the pre-trial conference, will not be taken at this moment”,

NOTING this Chamber’s decision of 9 December 2003 to postpone the pre-trial conference and the commencement of trial in this case “until further order”,

NOTING the letter of 10 December 2003 from the Ambassador of Serbia and Montenegro, in which the Ambassador announces Mr. Strugar’s arrival to the Tribunal on either Friday 12 December 2003 or during the following week-end,

CONSIDERING that it has been confirmed by representatives of the Registry of this Tribunal that the Accused Pavle Strugar has arrived in The Netherlands, and that he is currently in the custody of the Dutch police,

CONSIDERING that now that the Accused has traveled to the Netherlands, the reasons underlying the Defence request for postponement, namely that he did not want to interrupt his medical treatment in the Clinical Center in Podgorica in Serbia and Montenegro, are no longer applicable,

CONSIDERING further that it has also been confirmed to the Chamber that the Registrar of this Tribunal has taken measures to ensure that the Accused will be provided with a medical examination upon his return to the United Nations Detention Unit,

PURSUANT to Rules 54, 65*ter* and 73*bis* of the Rules of Procedure and Evidence,

FOR THE FOREGOING REASONS

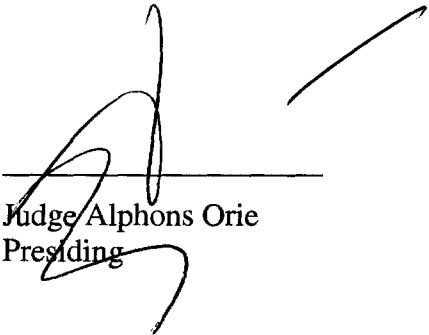
HEREBY DISMISSES the Defence motion for postponement of the trial and the pre-trial conference,

SCHEDULES the pre-trial conference in this case to take place on Monday 15 December 2003 at 15:00 in Courtroom III in the presence of the Accused, and

FURTHER SCHEDULES the trial to commence on Tuesday 16 December 2003 at 12:00 in Courtroom II.

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

Dated this fifteenth day of December 2003
At The Hague,
The Netherlands.



Judge Alphons Orie
Presiding

[Seal of the Tribunal]