



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-01-48-PT  
Date: 23 January 2004  
Original: English

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**IN THE TRIAL CHAMBER**

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

**Registrar:** Mr. Hans Holthuis

**Order of:** 23 January 2004

**PROSECUTOR**

v.

**SEFER HALILOVIĆ**

***EX PARTE***

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**SCHEDULING ORDER**

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**Counsel for the Accused**

Mr. Stefan Kirsch  
Mr. Guénaél Mettraux

**Bosnia and Herzegovina**

**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 “Defence Motion for Access”, filed by counsel for Sefer Halilović (“Applicant”) on 13 January 2004 (“the Application”), requesting the issue of an Order requiring the State of Bosnia and Herzegovina to produce various documents and materials specified in the confidential annexes to the Application,

**NOTING** that applications for Orders directed to States are governed by Rule 54 *bis* of the Rules of Procedure and Evidence of the International Tribunal (“the Rules”),

**CONSIDERING** that the Applicant has met the requirements of Rule 54 *bis*, paragraph (A), in that the Applicant has satisfied the Trial Chamber that it has identified as far as possible the documents or information to which the Application relates, that the material sought is relevant to the case against the accused, in that it relates to the acts and conduct of the accused, and further that the Applicant has taken steps to secure the assistance of the relevant State,

**CONSIDERING** that Rule 54 *bis*, paragraph (D) requires that, where a request for an Order for the production of documents or information by a State is sought, the State concerned shall be given notice of the application and shall have an opportunity to be heard,

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

**HEREBY ORDERS** as follows:

- (1) the Application shall be served upon Bosnia and Herzegovina;
- (2) Bosnia and Herzegovina may, by 27 February 2004, file a written response to the Application addressing, *inter alia*, any grounds of objection, and

- (3) after the filing of the written submission a hearing on the Application shall be held at a date to be fixed at which counsel for the Applicant and Bosnia and Herzegovina, through its designated senior responsible official, may appear to address the Application.

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



Richard May  
Presiding

Dated this twenty-third day of January 2004  
At The Hague  
The Netherlands

[Seal of the Tribunal]