



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: 9 February 2004  
Original: English

IT-95-13/1-PT  
D2047- D2045  
09 FEBRUARY 2004

2047  
SC

**IN TRIAL CHAMBER II**

**Before: Judge Carmel Agius, Pre-Trial Judge**

**Registrar: Mr. Hans Holthuis**

**Decision of: 9 February 2004**

**PROSECUTOR**

v.

**MILE MRKŠIĆ  
MIROSLAV RADIĆ  
VESELIN ŠLJIVANČANIN**

---

**SCHEDULING ORDER FOR FURTHER APPEARANCE AND  
STATUS CONFERENCE**

---

**The Office of the Prosecutor:**

Mr. Jan Wubben

**Counsel for the Accused Mile Mrkšić:**

Mr. Miroslav Vasić

**Counsel for the Accused Miroslav Radić:**

Mr. Borivoje Borović  
Ms. Mira Tapušковиć

**Counsel for the Accused Veselin Šljivančanin**

Mr. Novak Lukić  
Mr. Momčilo Bulatović

**I, Carmel Agius**, Judge 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”);

**HAVING BEEN DESIGNATED** Pre-Trial Judge with regard to:

1. *The Prosecutor v Mile Mrkšić* by the “Order Appointing a Pre-Trial Judge” issued by Trial Chamber II of the Tribunal on 16 May 2002;
2. *The Prosecutor v Miroslav Radić* by the “Order Appointing a Pre-Trial Judge” issued by Trial Chamber II on 20 May 2003; and
3. *The Prosecutor v Veselin Šljivančanin* by the “Order Appointing a Pre-Trial Judge” issued by Trial Chamber II on 2 July 2003;

**CONSIDERING** that these cases originally stem from the same initial indictment issued by the Prosecutor against Mile Mrkšić (“Mrkšić”), Miroslav Radić (“Radić”) and Veselin Šljivančanin (“Šljivančanin”) and confirmed by Judge Fouad Riad on 7 November 1995, and are assigned with the same case number IT-95-13/1;

**CONSIDERING** that the Office of the Prosecutor has since filed, on 9 February 2004, the modified Consolidated Amended Indictment (“9 February 2004 Consolidated Amended Indictment”) against all three Accused;<sup>1</sup>

**CONSIDERING** that the 9 February 2004 Consolidated Amended Indictment contains four new charges against Radić and Šljivančanin respectively, namely: persecution, extermination and torture, the latter as both a crime against humanity and a violation of the laws and customs of war;<sup>2</sup>

**CONSIDERING** that, in accordance with the Trial Chamber’s Decision on Form of Consolidated Amended Indictment and on Prosecution Application to Amend rendered on 23 January 2004, a further appearance of Radić and Šljivančanin will be scheduled to be held as soon as practicable to enable them to enter a plea on the new charges contained in the 9 February 2004 Consolidated Amended Indictment;<sup>3</sup>

---

<sup>1</sup> *The Prosecutor v Mile Mrkšić, Miroslav Radić and Veselin Šljivančanin*, Case IT-95-13/1-PT, Prosecution’s Filing to Modify the Consolidated Amended Indictment Pursuant to the Trial Chamber Decision of 23 January 2004 and the Trial Chamber Corrigendum of 26 January 2004, 6 February 2004; Corrigendum to the Prosecution’s Filing to Modify the Consolidated Amended Indictment Pursuant to the Trial Chamber Decision of 23 January 2004 and the Trial Chamber Corrigendum of 26 January 2004, 9 February 2004.

<sup>2</sup> Counts 1, 2, 5 and 7 of the 9 February 2004 Consolidated Amended Indictment.

<sup>3</sup> Decision on Form of Consolidated Amended Indictment and on Prosecution Application to Amend, 23 January 2004; See also Corrigendum to Decision on Form of Consolidated Amended Indictment and on Prosecution Application to Amend, 26 January 2004.

**CONSIDERING** further that the last Status Conference for Mrkšić, Radić and Šljivančanin was held on 22 October 2003;

**FOR THE FOREGOING REASONS**

**PURSUANT TO** Rules 50(B) and 65 *bis* of the Rules of Procedure and Evidence (“Rules”);


**HEREBY ORDER** that a Further Appearance for Radić and Šljivančanin and a Status Conference for Mrkšić, Radić and Šljivančanin be held at 12.00 on Monday, 16 February 2004.

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

Dated this ninth day of February 2004,

At The Hague

The Netherlands



**Carmel Agius**

**Pre-Trial Judge**

**[Seal of the Tribunal]**