



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-04-76-I
Date: 30th June 2004
Original: English

IN TRIAL CHAMBER I

Before: Judge Liu Daqun, Presiding
Judge Amin El Mahdi
Judge Alphons Orie

Registrar: Mr. Hans Holthuis

Decision: 30th June 2004

PROSECUTOR

v.

MIRKO NORAC

**SCHEDULING ORDER FOR AN INITIAL APPEARANCE,
AND
REQUEST FOR THE DETENTION OF MIRKO NORAC AND
HIS SURRENDER TO THE NETHERLANDS**

The Office of the Prosecutor:

Mr. Mark Ierace
Mr. Anura Meddegoda

The Government of the Republic of Croatia:

The Embassy of the Republic of Croatia,
The Hague
The Netherlands

Counsel for the Accused:

NN

Case No.: IT-04-76-I

30th June 2004

TRIAL CHAMBER I, (“the 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 (“the Tribunal”);

NOTING that an indictment was filed by the Prosecutor on 11th May 2004 against Mr. Mirko NORAC (“the Accused”);

NOTING the President’s Order of 11th May 2004 to assign Judge Liu Daqun to review the Indictment against the Accused;

NOTING the decision on 20th May 2004 by the Bureau pursuant to Rule 28 of the Tribunal’s Rules of Procedure and Evidence (“the Rules”), to admit the indictment for review by a Judge;

NOTING the Decision of 22nd May 2004 by Judge Liu Daqun to confirm the indictment pursuant to Rule 47 (E) and (F) of the Rules;

NOTING the President’s Order of 24th June 2004 to assign the case against the Accused (“*The Prosecutor vs. Mirko Norac*”, IT-04-76-I) to Trial Chamber I as composed of Judge Liu Daqun, Judge Amin El Mahdi and Judge Alphons Orie;

NOTING that, upon submission of the indictment for admission and confirmation, the Prosecutor did *not* file a request for an Arrest Warrant and an Order for Surrender, for the reason that the Accused was already detained in the Republic of Croatia where he is currently serving a prison sentence imposed on him by a Croatian Court of Appeal for crimes unrelated to the Prosecutor’s indictment;

NOTING that, according to the information made available by the Registrar to the Chamber, the Indictment was served on the Government of the Republic of Croatia on Monday, 7th June 2004 and subsequently served on the Accused himself by the Croatian authorities on Wednesday, 9th June 2004;

CONSIDERING the obligation of the Chamber under Article 20, paragraph 3 of the Statute to satisfy itself that the rights of the Accused are respected, to confirm that he understands the indictment, and to instruct him to enter a plea;

FINDING, for these reasons, that the Accused shall be called to enter a plea to the charges raised against him in the Indictment, in accordance with Article 20 of the Statute and Rule 62 of the Rules;

NOTING that the Accused, for the purpose of his initial appearance, shall be detained on behalf of the Tribunal;

NOTING the Prosecutor's Motion filed on 24th June 2004 to oppose the Chamber's Decision for first appearance ("the Motion against Initial Appearance");

NOTING the Chamber's Decision of 30th June 2004 to deny the Motion against Initial Appearance;

PURSUANT to Article 20 of the Statute and Rules 54 and 62 of the Rules,

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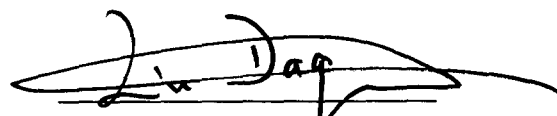
HEREBY SCHEDULES a hearing to take place on Thursday, 8th July 2004 at 16:00 hrs. in Courtroom I for the purpose of allowing the Accused to enter a plea to the charges raised against him before this Tribunal;

REQUESTS the Government of Croatia to detain the Accused on behalf of the Tribunal on 8th July 2004 and to ensure that he is escorted on that same day to Schiphol Airport in The Netherlands and surrendered to the Dutch Authorities there; and

REQUESTS the Government of the Kingdom of the Netherlands to detain the Accused upon receiving him from the Croatian Authorities in Schiphol Airport and to transport him immediately to the United Nations Detention Unit in The Hague; and

ORDERS the Registrar to ensure that the Accused is adequately represented by counsel and is present at the hearing scheduled above.

Done in English and French, the English text being the authoritative,
Dated this thirtieth day of June 2004,
At The Hague,
The Netherlands


Judge Liu Daqun, Presiding Judge

[Seal of the Tribunal]