



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-97-25/1-PT

Date: 15 April 2005

Original: English

IN THE REFERRAL BENCH

Before: Judge Alphons Orie, Presiding
Judge O-Gon Kwon
Judge Kevin Parker

Registrar: Mr. Hans Holthuis

Decision: 15 April 2005

PROSECUTOR

v.

**MITAR RAŠEVIĆ and
SAVO TODOVIĆ**

**SCHEDULING ORDER FOR A HEARING ON
REFERRAL OF A CASE UNDER RULE 11BIS**

The Office of the Prosecutor:

Mrs. Hildegard Uertz-Retzlaff
Mr. William Smith
Ms. Christina Moeller

The Government of Bosnia and Herzegovina

per: The Embassy of Bosnia and Herzegovina
to The Netherlands, The Hague

Counsel for the Accused:

Mr. Vladimir Domazet for Mitar Rašević
Mr. Aleksandar Lazarević for Savo Todović

THE REFERRAL BENCH 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”);

BEING SEIZED OF the Prosecutor’s Motions of 1 November 2004 and 4 November 2004 for referral of the present case by a Trial Chamber under Rule 11*bis* of the Rules of Procedure and Evidence (“the Rules”) to the State of Bosnia and Herzegovina, after having given, if it deems necessary, the opportunity to the authorities of Bosnia and Herzegovina to be heard on the Motions and on the conditions for the referral of this case;

NOTING that no submissions in response to the Prosecution’s Motions were made by the Defence;

NOTING the Referral Bench’s “Decision for Further Information in the Context of the Prosecutor’s Motions under Rule 11*bis*” dated 14 April 2005 ordering the Parties and inviting the Government of Bosnia and Herzegovina to submit their views on the gravity of the crimes and the level of responsibility of the Accused, as well as on the substantive and procedural law that would be applicable to the case should it be referred to the government of Bosnia and Herzegovina;

PURSUANT to Rules 11*bis* and 74 of the Rules;

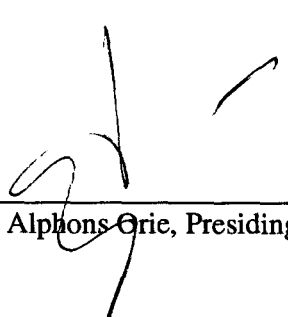
HEREBY SCHEDULES A HEARING to commence on 12 May 2005 at 14.15 in a courtroom designated by the Registry;

INVITES the Government of Bosnia and Herzegovina to attend the hearing and, should it wish, to present additional oral submissions.

REQUESTS the Registrar to transmit this order immediately to the Government of Bosnia and Herzegovina.

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

Done this fifteenth day of April 2005
At The Hague,
Netherlands



Judge Alphons Orie, Presiding Judge

[Seal of the Tribunal]