



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-96-23/2-PT
Date: 11 May 2005
Original: English

IN THE REFERRAL BENCH

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

Registrar: Mr. Hans Holthuis

Order: 11 May 2005

PROSECUTOR
v.
GOJKO JANKOVIĆ

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

The Office of the Prosecutor:

Mr. Carla Del Ponte

Counsel for the Accused:

Mr. Aleksandar Lazarević
Mr. Tomislav Visnjić

The Government of Bosnia and Herzegovina

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

The Government of Serbia and Montenegro

per: The Embassy of Serbia and Montenegro
to The Netherlands, The Hague

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”);

NOTING the “Scheduling Order for a Hearing on Referral of a Case under Rule 11 *bis*” filed on 20 April 2005 inviting the Government of Bosnia and Herzegovina to attend a hearing scheduled for 12 May 2005, and, should it wish, to present additional oral submissions;

NOTING the “Gojko Janković’s Defence Submission of Further Information in Accordance with the Referral Bench’s Decision of 15 April 2005 and in the Context of the Prosecutor’s Motion Under Rule 11 *bis*” filed on 6 May 2005 (“Motion”) by the Defence of the Gojko Janković (“Accused”) requesting, *inter alia*, the Referral Bench to give the authorities of Serbia and Montenegro the opportunity to be heard at the hearing scheduled for 12 May 2005;

NOTING the “Serbia and Montenegro’s Submission in the Proceedings Under Rule 11 *bis*” filed on 9 May 2005 (“Serbia and Montenegro’s Submission”) by the Government of Serbia and Montenegro requesting (i) referral of the case of the Accused to Serbia and Montenegro; (ii) invitation to submit further written submissions; and (iii) invitation to the hearing scheduled for 12 May 2005;

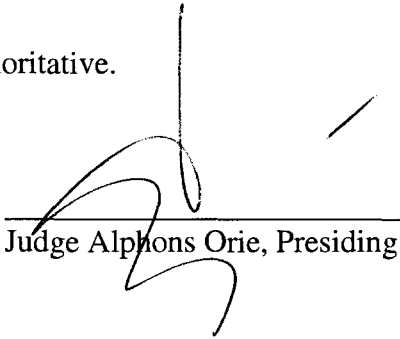
NOTING the submissions of the Prosecutor filed on 10 May 2005 requesting (i) leave to file a reply to the Motion; (ii) Serbia and Montenegro’s Submission to be struck; and (iii) authorities of Serbia and Montenegro not be heard at the hearing scheduled for 12 May 2005;¹

HEREBY DETERMINES that there is no need at this time to decide any issues presented by the referenced submissions, that issues raised therein will be addressed at the scheduled hearing, and that representatives of Serbia and Montenegro may attend the hearing when these issues are addressed.

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

¹ “Prosecutor’s Application for Leave to File a Reply to Gojko Janković’s Defence Submission of Further Information in Accordance with the Referral Bench’s Decision of 15 April 2005 and in the Context of the Prosecutor’s Motion Under Rule 11 *bis*”, 10 May 2005; “Prosecutor’s Motion to Strike Serbia and Montenegro’s Submission in the Proceedings Under Rule 11 *bis*”, 10 May 2005.

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



Judge Alphons Orie, Presiding

Done this eleventh day of May 2005,
At The Hague,
The Netherlands

[Seal of the Tribunal]