IT-04-82-PT
D 3025 - D 3023
17 June 2005

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UNITED NATIONS

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-04-82-PT
	Date:	17 June 2005
	Original:	English

IN TRIAL CHAMBER II

Before: **Judge Carmel Agius, Presiding**
Judge Hans Henrik Brydensholt
Judge Albin Eser, Pre-Trial Judge

Registrar: **Mr. Hans Holthuis**

Order of: **17 June 2005**

PROSECUTOR

v.

Ljube BOŠKOSKI
Johan TARČULOVSKI

SCHEDULING ORDER FOR HEARING ON DEFENCE REQUESTS FOR PROVISIONAL RELEASE

The Office of the Prosecutor:

Kenneth Scott
William Smith

Counsel for the Accused:

Dragan Godzo for Ljube Boškoski
Antonio Apostolski for Johan Tarčulovski

The Government of the Former Yugoslav Republic of Macedonia
The Government of the Republic of Croatia

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TRIAL CHAMBER II 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");

NOTING the "Motion Filed by the Defense of Johan Tarčulovski Requesting Provisional Release of Accused Tarčulovski" ("Tarčulovski Motion"), filed by counsel for Mr. Tarčulovski on 20 May 2005, and the "Defence Motion of Ljube Boškoski for Provisional Release" ("Boškoski Motion"), filed by counsel for Mr. Boškoski on 25 May 2005;

NOTING the "Prosecution's Response to Johan Tarčulovski's Application for Provisional Release ("Tarčulovski Response") filed on 2 June 2005, and the "Prosecution's Response to Ljube Boškoski's Application for Provisional Release" ("Boškoski Response") filed on 7 June 2005;

NOTING the filings of the Kingdom of the Netherlands on 9 and 13 June 2005 respectively;

CONSIDERING the Guarantee from the Government of the Former Yugoslav Republic of Macedonia jointly filed in support of the Tarčulovski Motion and the Boškoski Motion on 3 June 2005;

CONSIDERING that the Trial Chamber has not previously considered guarantees from the Government of the Former Yugoslav Republic of Macedonia;

CONSIDERING the interest of the Republic of Croatia referenced in the Boškoski Motion[1] and the Boškoski Response;

FINDING that it is necessary to hold a hearing prior to taking a decision;

PURSUANT TO Rules 54 and 65 of the Rules of Procedure and Evidence of the Tribunal;

ORDERS

that a hearing on the Accused's requests for provisional release shall be held on Thursday, 30 June 2005, at 2:15 p.m. in Courtroom III, at which each of the parties will be allowed fifteen minutes of time to present their submissions;

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INVITES

(1) A Representative of the Government of the Former Yugoslav Republic of Macedonia to attend to explain the guarantees the Government of the Former Yugoslav Republic of Macedonia is willing to give in relation to the Boškoski Motion and the Tarčulovski Motion, within fifteen minutes of time;

(2) A Representative of the Government of the Republic of Croatia to attend to present the position of the Republic of Croatia with respect to the Boškoski Motion, within fifteen minutes of time.

REQUESTS

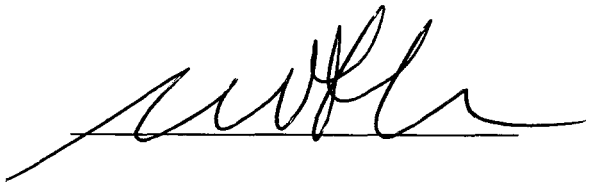
the Registrar to communicate this Order to the Government of the Former Yugoslav Republic of Macedonia and to the Government of the Republic of Croatia.

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

Dated this seventeenth day of June 2005,

At The Hague

The Netherlands



Carmel Agius

Presiding Judge

[Seal of the Tribunal]

[1] Boškoski Motion, par. 14.

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