



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-98-29/1-PT
Date: 28 July 2005
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge Jean Claude Antonetti
Judge Kevin Parker

Registrar: Mr. Hans Holthuis

Decision: 28 July 2005

PROSECUTOR

v.

DRAGOMIR MILOŠEVIĆ

**DECISION ON PROSECUTOR'S MOTION TO SUSPEND ALL
NON-ESSENTIAL PROCEEDINGS**

Counsel for the Prosecutor:

Mr. Chester Stamp

Counsel for the Accused:

Mr. Branislav Tapušković

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”);

BEING SEISED OF the “Prosecutor’s Motion to Suspend All Non-Essential Proceedings” (“Motion”), filed on 15 February 2005, whereby the Prosecution, in view of the then pending motion under Rule 11 *bis* of the Rules of Procedure and Evidence (“Rules”), requested “the suspension of all non-essential proceedings, such as submissions and orders under Rule 65 *ter* of the Rules, including pre-trial briefs and related filings”;

NOTING the “Decision on Referral of Case Pursuant to Rule 11 *bis*” (“Rule 11 *bis* Decision”), dated 8 July 2005 in which the Referral Bench decided not to refer this case;

NOTING that neither the Accused nor the Prosecution has appealed the Rule 11 *bis* Decision pursuant to Rule 11 *bis* (I) of the Rules;

CONSIDERING that since this case has not been referred under Rule 11 *bis* of the Rules, the Motion has become moot;

FOR THE FOREGOING REASONS

HEREBY DENIES the Motion.

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

Dated this twenty-eighth day of July 2005
At The Hague
The Netherlands



Judge Carmel Agius

Presiding Judge

[Seal of the Tribunal]