



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-00-41-PT
Date: 7 September 2005
Original: English

IN THE REFERRAL BENCH

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

Registrar: Mr. Hans Holthuis

Decision: 7 September 2005

PROSECUTOR
v.
PAŠKO LJUBIČIĆ

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

The Office of the Prosecutor:

Mr. Mark Harmon

The Government of Bosnia and Herzegovina

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

Counsel for the Accused:

Mr. Tomislav Jonjić
Ms. Nika Pinter

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 “Request by the Prosecutor under Rule 11*bis* for Referral of the Indictment to another Court” dated 19 July 2005 seeking referral of the present case by the Referral Bench under Rule 11*bis* of the Rules of Procedure and Evidence (“the Rules”) to the authorities of Bosnia and Herzegovina, after having given, if it deems necessary, an opportunity to the authorities of Bosnia and Herzegovina to be heard on the Request and on the conditions for the referral of this case;

NOTING the Referral Bench’s “Decision for Further Information in the Context of the Prosecutor’s Motions under Rule 11*bis*” dated 5 September 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 compatibility of the legal system of Bosnia and Herzegovina with Rule 11*bis*;

NOTING that Counsel for the Accused has raised no objections to the hearing in this case being held at the same time as the Rule 11*bis* hearing in the case of *Prosecutor v. Ivica Rajic* Case No.: IT-95-12-PT for reasons of efficient administration of justice;

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

HEREBY SCHEDULES A HEARING to commence on 20 September 2005 at 14.45 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 seventh day of September 2005
At The Hague,
Netherlands



Judge Alphons Orie, Presiding Judge

[Seal of the Tribunal]