



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

Case No. IT-98-29/1-PT  
Date: 28 November 2006  
Original: English

**IN TRIAL CHAMBER III**

**Before:** Judge Patrick Robinson, Pre-trial Judge  
Judge Krister Thelin  
Judge Antonie Kesia-Mbe Mindua

**Registrar:** Mr. Hans Holthuis

**Order of:** 28 November 2006

**PROSECUTOR**

v.

**DRAGOMIR MILOŠEVIĆ**

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**SCHEDULING ORDER REGARDING  
COMMENCEMENT OF TRIAL**

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**The Office of the Prosecutor:**

Mr. Alex Whiting  
Mr. Stefan Waespi

**Counsel for the Accused:**

Mr. Branislav Tapušković  
Ms. Branislava Isailović

**TRIAL CHAMBER III** (“Trial Chamber”) 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 “Order Reassigning a Case to a Trial Chamber”, issued by the President of the Tribunal on 22 November 2006, assigning the case *Prosecutor v. Dragomir Milošević*, Case No. IT -98-29/1, to Trial Chamber III with immediate effect;

**NOTING** the “Order Assigning *ad litem* Judges for Pre-trial Work”, issued by the President of the Tribunal on 23 November 2006, assigning Judge Krister Thelin and Judge Antoine Kesia-Mbe Mindua to the case and appoint Judge Patrick Robinson as Pre-trial Judge in the case;

**NOTING** the indictment against Dragomir Milošević (“Accused”) filed by the Office of the Prosecutor (“Prosecution”) on 26 March 1999, charging the Accused with three counts of violations of laws or customs of war under Article 3 of the Statute of the Tribunal in conjunction with Articles 51 and 13 of Additional Protocol I and II to the Geneva Conventions respectively (terror, attacks on civilians) and four counts of crimes against humanity under Article 5 (a) and (i) of the Statute (murder, inhumane acts) and with individual criminal responsibility under Articles 7(1) and 7(3) of the Statute of the Tribunal;

**NOTING** that on 7 December 2004, an initial appearance took place, at which the Accused entered a plea of not guilty;

**NOTING** that the Prosecution filed its pre-trial brief on 31 January 2006 and the Defence filed its pre-trial brief in French on 27 February 2006 and in English on 8 March 2006;

**NOTING** that the Prosecution has filed a motion on 13 November 2006, in which it seeks leave to amend the indictment against Dragomir Milošević (“Prosecution Motion”);

**NOTING** the “Scheduling Order varying time-limits with regard to commencement of trial and request to Prosecution to reduce the scope of its case”, filed 24 November 2006, in which the Trial Chamber ordered the Defence to file a response to the Prosecution motion (including both challenges to the proposed amended indictment and challenges to its form, if any) by no later than 5 December 2006 and granted leave to the Prosecution to file a reply to this response by no later than 8 December 2006, and in which it invited the Prosecution, pursuant to Rule 73*bis* of the Rules of Procedure and Evidence (“Rules”), to propose means to the Trial Chamber, by no later than 5 December 2006, of reducing the scope of its case by at least one-third;

**CONSIDERING** therefore that all pending issues relating to the indictment can be settled in December 2006;

**RECALLING** the Trial Chamber's duty pursuant to Article 20 of the Tribunal's Statute to ensure a fair and expeditious trial;

**NOTING** that pursuant to Rule 73*bis* of the Rules, a Pre-trial Conference shall be convened by the Trial Chamber prior to the commencement of the trial;

**FOR THE FOREGOING REASONS** and

**PURSUANT TO** Article 20 of the Statute and Rules 54 and 73*bis* of the Rules

**THE TRIAL CHAMBER HEREBY ORDERS** that

1. A pre-trial conference shall be held on 9 January 2007, at a time and in a courtroom to be announced.
2. Trial shall proceed with opening statements on 10 January 2007, at a time and in a courtroom to be announced.

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

Dated this twenty-eighth day of November 2006

At The Hague

The Netherlands



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**Patrick Robinson**  
**Pre-trial Judge**

**[Seal of the Tribunal]**