

UNITED
NATIONS

IT-01-42/2-1
D 802 - D 800
05 December 2005

802
KB.



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-01-42/2-I
Date: 5 December 2005
Original: English

Before: Judge Alphons Orie, Pre-trial Judge
Registrar: Mr. Hans Holthuis
Order of: 5 December 2005

PROSECUTOR
v.
Vladimir Kovačević

SCHEDULING ORDER

The Office of the Prosecutor:

Ms. S. Somers
Mr. P. Weiner

Counsel for the Accused:

Ms. T. Radosavljević

I, Alphons Orije, Judge in Trial Chamber I (“the 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 (“the Tribunal”), Pre-Trial Judge in this case;

NOTING that Mr. Vladimir Kovačević (“the Accused”) was arrested on 25 September 2003 in Belgrade and transferred to The Hague’s United Nations Detention Unit (“UNDU”) on 23 October 2003;

NOTING that at the two initial appearances of the Accused on 3 November 2003 and 28 November 2003, the Defence as well as the Prosecution raised the question of the ability of the Accused to enter a plea and to stand trial, and that, at both of these occasions, the Chamber was unable to conclude that the Accused had the mental capacity to enter a plea and therefore did not invite him to do so;

NOTING the Chamber’s Decision of 2 June 2004 ordering the Provisional Release of the Accused to a mental institution in Serbia and Montenegro in order to make available to him the specialized medical treatment he needs for a period of six months, and also ordering a full review of the Accused’s mental condition after a period of six months;

NOTING the Prosecution’s “Motion for Adjournment and Continuance of Hearing Scheduled for 08 November 2005”, filed *confidentially* on 2 November 2005;

NOTING the Chamber’s Decision of 3 November 2005 granting the Prosecution’s request to reschedule hearing;

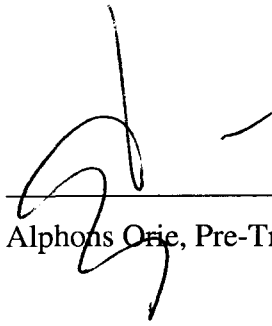
PURSUANT to Rule 54 of the Rules of Procedure and Evidence;

HEREBY RESCHEDULES a hearing to take place at the Tribunal on Wednesday, 7 December 2005 at 14:15 in Courtroom III, in the presence of the Prosecution, the Defence Counsel, the Tribunal’s Medical Experts, the Prosecution’s Medical Experts, the Defence Medical Experts and the leading psychiatrist or psychologist responsible for the treatment of the Accused at the Army Hospital in Belgrade, whereas the presence of the Accused will not be required.

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

Dated this Fifth day of December 2005

At The Hague,
The Netherlands.



Alphons Orie, Pre-Trial Judge

[seal of the Tribunal]