



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-04-84-PT
Date: 3 May 2006
Original: English

IN TRIAL CHAMBER II

Before: Hans Henrik Brydenscholt, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 3 May 2006

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

**SCHEDULING ORDER REGARDING
PROPOSED AMENDMENT OF THE INDICTMENT**

The Office of the Prosecutor:

Mr. Gilles Dutertre
Mr. Philippe Vallieres-Roland
Mr. Anees Ahmed

Accused / Counsel for the Accused:

Ramush Haradinaj

Idriz Balaj

Lahi Brahimaj

Mr. Ben Emmerson

Mr. Rodney Dixon

Mr. Michael O'Reilly

Mr. Gregor Guy-Smith

Mr. Richard Harvey

I, Hans Henrik Brydesholt, Judge of **TRIAL CHAMBER II** (“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”) and pre-trial Judge in this case;

BEING SEIZED OF the “Motion for Leave to Amend the Indictment in the Case of *The Prosecutor v. Haradinaj and al.* With Public and *Ex Parte* Annexes” (“Motion”), filed by the Office of the Prosecutor (“Prosecution”) on 26 April 2006, in which the Prosecution requests to amend the initial indictment by two new counts, and to correct some typographical errors;

CONSIDERING that counsel for Haradinaj, Balaj and Brahimaj (“Defence”) are entitled to file a response to the Motion pursuant to Rule 50(A)(i)(c) of the Rules of Procedure and Evidence of the Tribunal (“Rules”), and that the Defence has a right to further challenge the form of the proposed amended indictment pursuant to Rule 72(A)(ii) of the Rules, should the newly suggested amendments be granted;

CONSIDERING that in view of the necessity to expedite the proceedings, the Trial Chamber finds it appropriate to order the Defence to raise any objections in a consolidated response to the Motion (1) as to the Prosecution’s request to be granted leave to amend the initial indictment pursuant to Rule 50(A)(i)(c) of the Rules, and (2) as to the form of the proposed amended indictment pursuant to Rule 72(A)(ii) of the Rules, should those amendments be granted;

CONSIDERING that the Prosecution should be given an opportunity to reply to the Defence’s response;

PURSUANT TO Rules 50, 72(A)(ii) and 126*bis* of the Rules of Procedure and Evidence

HEREBY ORDER the Defence to file a response to the Motion (including both challenges to the proposed amended indictment and challenges to its form, if any) by no later than 6 June 2006;

GRANT the Prosecution leave to file a reply to the Defence response, and

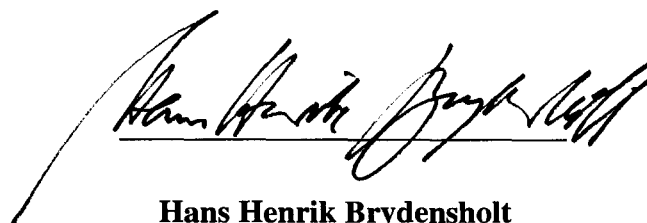
ORDER the Prosecution to file a reply, if any, by no later than 16 June 2006.

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

Dated this third day of May 2006

At The Hague

The Netherlands

A handwritten signature in black ink, appearing to read 'Hans Henrik Brydenscholt', written over a horizontal line.

Hans Henrik Brydenscholt
Pre-Trial Judge

[Seal of the Tribunal]