



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-96-23/2-A
Date: 24 July 2007
Original: English

BEFORE THE PRE-APPEAL JUDGE

Before: Judge Liu Daqun, Pre-Appeal Judge
Registrar: Mr. Hans Holthuis
Order of: 24 July 2007

PROSECUTOR

v.

DRAGAN ZELENović

SCHEDULING ORDER

The Office of the Prosecutor:

Ms. Helen Brady

Counsel for the Appellant:

Mr. Zoran Jovanović

I, LIU DAQUN, a Judge 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-Appeal Judge in this case,¹

NOTING the Sentencing Judgement rendered in the present case by Trial Chamber I on 4 April 2007;

CONSIDERING that Rule 65*bis*(B) of the Rules of Procedure and Evidence (“Rules”) requires the convening of a status conference within 120 days of the filing of the notice of appeal to allow any person in custody pending the appeal the opportunity to raise issues in relation thereto, including the physical and mental condition of that person;

CONSIDERING the “Defence Notice for Leave to Appeal Sentencing Judgement”, filed on 27 April 2007 by Dragan Zelenović (“Defence Notice” and “Appellant”, respectively);

CONSIDERING the “Prosecution Motion Concerning ‘Defence Notice for Leave to Appeal Sentencing Judgement’”, filed on 3 May 2007 (“Prosecution Request”), in which the Prosecution requests that the Defence Notice be treated as a notice of appeal pursuant to Rule 108 of the Rules, and that the time-limits for filing the remaining briefs should therefore commence running as of 27 April 2007;

NOTING that the Appellant did not respond to the Prosecution Request;

CONSIDERING that the Defence Notice sets forth the grounds of appeal and identifies the specific decisions challenged and the substance of the alleged errors, thus fulfilling the requirements of Rule 108 of the Rules;

CONSIDERING that the “Defence Appeal on Sentencing Judgement” was filed on 25 May 2007, the “Prosecution’s Response Brief” on 25 June 2007, and the “Defence Reply to ‘Prosecution Response Brief’” on 3 July 2007, this is within the time-limits provided for in Rules 111 to 113 of the Rules;

CONSIDERING that the Appellant is currently in detention at the United Nations Detention Unit in The Hague pending the decision of the Appeals Chamber in this case;

¹ Order Assigning Judges to a Case Before the Appeals Chamber, 2 May 2007; Order Designating a Pre-Appeal Judge, 24 July 2007.

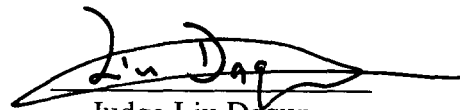
PURSUANT TO RULES 54, 65 bis(B), 107 and 108 of the Rules

HEREBY GRANT the Prosecution Request and **CONFIRM that** the Defence Notice constitutes the notice of appeal required under Rule 108 of the Rules; and

ORDER that a status conference be held before the Pre-Appeal Judge on 27 August 2007 in Courtroom I at 8:00 a.m.

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

Done this 24th of July 2007,
At The Hague,
The Netherlands.



Judge Liu Daqun
Pre-Appeal Judge

[Seal of the Tribunal]