



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-95-13/1-R.1
Date: 1 June 2010
Original: English

BEFORE THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding
Judge Mehmet Güney
Judge Fausto Pocar
Judge Liu Daqun
Judge Andréia Vaz

Registrar: Mr. John Hocking

Order of: 1 June 2010

PROSECUTOR

v.

VESELIN ŠLJIVANČANIN

PUBLIC

**ORDER ON MILE MRKŠIĆ'S MOTION REGARDING THE
APPEALS CHAMBER'S ORDER FOR A HEARING**

The Office of the Prosecutor:

Ms. Helen Brady
Mr. Paul Rogers

Counsel for Veselin Šljivančanin:

Mr. Novak Lukić and Mr. Stéphane Bourgon

Counsel for Mile Mrkšić:

Mr. Miroslav Vasić and Mr. Vladimir Domazet

THE APPEALS 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 (“Appeals Chamber” and “Tribunal”, respectively),

RECALLING that the Appeals Chamber is seised of the “Application on Behalf of Veselin Šljivančanin for Review of the Appeals Chamber Judgment of 5 May 2009” (“Review Motion”), filed by Veselin Šljivančanin (“Šljivančanin”) on 28 January 2010;

RECALLING the “Scheduling Order for Hearing Regarding Veselin Šljivančanin’s Application for Review” issued by the Appeals Chamber on 20 April 2010, which convened an oral hearing (“Hearing”) on 3 June 2010, and the “Order Responding to Prosecution’s Motion on Hearing Management and Revised Scheduling Order” issued by the Appeals Chamber on 21 May 2010;

BEING SEISED of “Mile Mrkšić’s Motion Regarding Trial Chamber’s [*sic*] Order for Hearing Regarding Veselin Šljivančanin’s Application for Review” (“Motion”), filed confidentially on 26 May 2010, whereby Mile Mrkšić (“Mrkšić”) requests the Appeals Chamber to issue an order permitting him and his counsel to attend and take part in the Hearing;

CONSIDERING that Mrkšić is not a party to the proceedings currently pending as a result of the Review Motion and that the Motion does not establish that Mrkšić has any specific interest in the outcome of the review proceedings;

CONSIDERING that the Prosecution and Šljivančanin are not prejudiced by Mrkšić’s non-participation in the Hearing;¹


FOR THE FOREGOING REASONS,

DISMISSES the Motion in its entirety.

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

¹ In view of the lack of prejudice to them and the short time before the Hearing, the “Response to Mile Mrkšić’s Motion to Intervene in Hearing Regarding Veselin Šljivančanin’s Application for Review”, filed confidentially by the Prosecution on 27 May 2010, and the “Applicant’s Response to Mile Mrkšić’s Motion Regarding Trial Chamber’s Order for Hearing Regarding Veselin Šljivančanin’s Application for Review”, filed confidentially by Šljivančanin on 27 May 2010 have not been considered.

Dated this 1st day of June 2010,
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding Judge

[Seal of the Tribunal]