



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

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PRACTICE DIRECTION
ON PROCEDURE FOR THE PROPOSAL, CONSIDERATION OF
AND PUBLICATION OF AMENDMENTS TO
THE RULES OF PROCEDURE AND EVIDENCE OF THE INTERNATIONAL
TRIBUNAL
(as amended)

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INTRODUCTION

In accordance with Rule 19 (B) of the Rules of Procedure and Evidence of the International Tribunal (“the Rules”), pursuant to Rule 6 of the Rules, I issue this Practice Direction in order to establish a procedure for the proposal, consideration of and publication of amendments to the Rules:

THE RULES COMMITTEE

1. (a) The Rules Committee shall consider all proposals for amendment of the Rules forwarded to it by the President, a Judge of the International Tribunal or other body. The Committee shall submit a report setting out the proposals and recommendations to the Plenary for action, or to the permanent Judges of the International Tribunal for adoption under Rule 6 (C).
- (b) The report of the Rules Committee shall be circulated to all Judges at least one week prior to the plenary session at which it is to be discussed. *Ad litem* Judges of the Tribunal may submit written comments on the report to the Chair of the Rules Committee not less than two working days before the start of the plenary session and may participate in the debate on the amendments in the plenary session.
2. The Rules Committee shall be made up of a minimum of three permanent Judges of the International Tribunal and a non-voting representative, each, of the Registry, Office of the Prosecutor and Defence Counsel. The Committee Secretariat shall consist of, at a minimum, a Senior Legal Officer and Associate Legal Officer of the Chambers Legal Support Section of the International Tribunal.

THE PLENARY’S CONSIDERATION OF AMENDMENT OF THE RULES

3. The Plenary shall consider proposals for amendment to the Rules at the final meeting of the Plenary in each calendar year, subject to paragraph 6 below.

SUBMISSION OF PROPOSALS

4. All proposals directed to the President or the Rules Committee are to be submitted in both working languages of the International Tribunal not less than two months prior to the sitting of the Plenary at which proposed amendments of the Rules are to be considered.
5. Proposals received within that two-month period may in exceptional circumstances be considered by the Rules Committee and presented to the Plenary for consideration.
6. This Practice Direction shall not prevent the consideration of proposals for amendment of the Rules at other Plenary meetings in cases of urgency or exceptional circumstances.

OTHER AMENDMENTS

7. An amendment to the Rules may be otherwise adopted, provided it is unanimously approved by the permanent Judges.

ENTRY INTO FORCE OF AMENDMENT TO THE RULES

8. Upon agreement by the Plenary of amendment to the Rules, the Rules Committee will, as soon as practicable, issue an official document of the International Tribunal (“official document”) setting out the amendments in both working languages of the International Tribunal. No commentary or explanation will accompany the amendments.
9. The amendments will enter into force seven days after the date of issue of the official document referred to in paragraph 8 above. A fully amended text of the Rules will be issued as soon as possible thereafter.

PUBLICISING AMENDMENTS TO THE RULES

10. In accordance with Chambers practice, the official document containing the amendments to the Rules shall be distributed on the day of issue to all Judges, the Registry, Office of the Prosecutor, Defence Counsel Unit, Press Office and Library, and shall be submitted for publication in the next edition of the Bulletin of the International Tribunal.

(signed)
Claude Jorda
President