

IN THE APPEALS CHAMBER

Before:

**Judge Mohamed Shahabuddeen, Presiding
Judge Lah Chand Vohrah
Judge Rafael Nieto-Navia
Judge Patricia Wald
Judge Fausto Pocar**

Registrar:

Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of:

23 November 2000

THE PROSECUTOR

v.

**BLAGOJE SIMIC
MILAN SIMIC
MIROSLAV TADIC
STEVAN TODOROVIC
SIMO ZARIC**

SCHEDULING ORDER

Representatives for NATO and the Relevant States

Counsel for the Prosecutor

Mr. Graham Blewitt

Counsel for the Accused

Mr. Slobodan Zecevic, for Milan Simic
Mr. Igor Pentelic and Mr. Novak Lukic, for Miroslav Tadic
Mr. Deyan Ranko Brashich and Mr. Nikola Kostich for Stevan Todorovic
Mr. Borislav Pisarevic and Mr. Aleksander Lazarevic, for Simo Zaric

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 ("the Appeals Chamber" and "the International Tribunal", respectively),

BEING SEIZED OF "Accused Stevan Todorovic's Rule 115 Motion For Additional Evidence", filed on 22 November 2000 ("the Motion"), whereby the defence for the accused Stevan Todorovic seeks an order pursuant to Rule 115 of the Rules of Procedure and Evidence allowing for the admission of additional evidence as to whether "the States have actual notice of the application for the binding orders which have

been served upon SFOR and did SFOR/NATO advise the States of the application" or that the Appeals Chamber *proprio motu* issue the following interrogatories to the States:

"(a) Was the Defense request for voluntary disclosure of evidence made upon SFOR known to the States seeking review?

(b) Was the State seeking review aware of the Motion for Judicial Assistance served upon SFOR?

and that the following interrogatories be propounded to NATO/SFOR;

(a) Was the Defense request for voluntary disclosure for evidence made upon SFOR referred up the NATO chain of command and made known to the member States?

(b) Was notice given NATO member States of the Motion for Judicial Assistance and was the Motion referred up the NATO chain of command and made known to the member States?";

NOTING that written briefs have been submitted by Canada, Denmark, France, Germany, Italy, The Netherlands, Norway, United Kingdom, and the United States of America ("the Relevant States"), the North Atlantic Treaty Organisation ("NATO") and the Prosecutor;

HEREBY gives liberty to the Relevant States, NATO, the Prosecutor and the Defence for the co-accused Milan Simic, Miroslav Tadic and Simo Zaric, to respond to the Motion by Friday 1 December 2000;

HEREBY gives liberty to the defence of Stevan Todorovic to reply to the responses by the Relevant States, NATO, the Prosecutor and the Defence for the co-accused Milan Simic, Miroslav Tadic and Simo Zaric by Friday 8 December 2000;

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

Judge Mohamed Shahabuddeen
Presiding

Dated this twenty third day of November 2000
At The Hague,
The Netherlands.

[Seal of the Tribunal]