



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-03-68-T
Date: 14 June 2005
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge Hans Henrik Brydensholt
Judge Albin Eser

Registrar: Mr. Hans Holthuis

Order of: 14 June 2005

PROSECUTOR

v.

NASER ORIĆ

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Jan Wubben
Ms. Patricia Sellers
Mr. Gramsci Di Fazio

Counsel for the Accused:

Ms. Vasvija Vidović
Mr. John Jones

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”):

NOTING Rule 65*ter* (G) of the Rules of Procedure and Evidence of the Tribunal (“Rules”) which provides that

After the close of the Prosecutor’s case and before the commencement of the defence case, the pre-trial Judge shall order the defence to file the following:

- (i) a list of witnesses the defence intends to call with:
 - (a) the name or pseudonym of each witness;
 - (b) a summary of the facts on which each witness will testify;
 - (c) the points in the indictment as to which each witness will testify;
 - (d) the total number of witnesses and the number of witnesses who will testify for each accused and on each count;
 - (e) an indication of whether the witness will testify in person or pursuant to Rule 92*bis* by way of written statement or use of a transcript of testimony from other proceedings before the Tribunal; and
 - (f) the estimated length of time required for each witness and the total time estimated for the presentation of the defence case; and
- (ii) a list of exhibits the defence intends to offer in its case, stating where possible whether the Prosecutor has any objection as to authenticity. The defence shall serve on the Prosecutor copies of the exhibits so listed.

NOTING further Rule 73*ter* (A) which provides that the Trial Chamber may hold a pre-defence conference prior to the commencement of the defence case;

NOTING that the Trial Chamber rendered this scheduling order orally on Wednesday 8 June 2005;

PURSUANT to Rules 54, 65ter (G) and 73ter (A) of the Rules;

HEREBY ORDERS THAT:

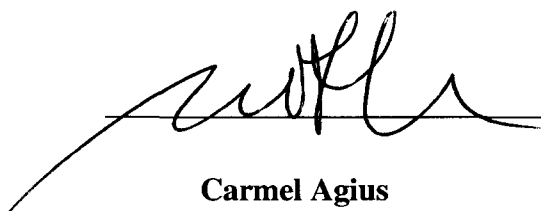
1. No later than Friday 17 June 2005, the Defence shall file:
 - (a) the names or pseudonyms of each witness it intends to call;
 - (b) a summary of the facts on which each witness called before 23 July 2005 will testify;
 - (c) the points of the Indictment as to which each witness called before 23 July 2005 will testify;
 - (d) the total number of witnesses and the number of witnesses called before 23 July 2005 who will testify on each count;
 - (e) an indication of whether the witness will testify in person or pursuant to Rule 92bis by way of written statement or use of a transcript of testimony from other proceedings before the Tribunal;
 - (f) the estimated length of time required for each witness and the total time estimated for the presentation of the Defence case; and
 - (g) a list of exhibits the Defence intends to offer in its case, stating where possible whether the Prosecutor has any objection as to authenticity. The Defence shall serve on the Prosecutor copies of the exhibits so listed but only with regard to the exhibits it intends to use during the testimonies of witnesses called to testify before 23 July 2005.

2. No later than Tuesday 28 June 2005, the Defence shall
 - (a) file a summary of the facts on which each remaining witness will testify;
 - (b) file the points in the Indictment as to which each remaining witness will testify;
 - (c) file the number of remaining witnesses who will testify on each counts; and
 - (d) serve on the Prosecutor copies of the exhibits listed on 17 June 2005 with regard to the exhibits it intends to use during the testimonies of the remaining witnesses.

3. On Thursday 30 June 2005, a meeting shall be called by the Senior Legal Officer of Trial Chamber II to assess whether the Defence has fulfilled its obligations pursuant to Ruler 65*ter* (G) and to prepare the pre-Defence conference.
4. On Friday 1 July 2005, a pre-Defence conference shall be convened pursuant to Rule 73*ter* of the Rules.
5. The Defence case shall commence on Monday 4 July 2005.

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

Dated this fourteenth day of June 2005,
At The Hague,
The Netherlands



Carmel Agius

Presiding Judge

[Seal of the Tribunal]