

UNITED
NATIONS

IT-95-11-T
① 9986 - ① 9984
09 June 2006

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105.



International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991

Case No. IT-95-11-T

Date: 9 June 2006

Original: English

IN TRIAL CHAMBER I

Before: Judge Bakone Justice Moloto, Presiding
Judge Janet Nosworthy
Judge Frank Höpfel

Registrar: Mr. Hans Holthuis

Order of: 9 June 2006

PROSECUTOR

v.

MILAN MARTIĆ

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Alex Whiting
Ms. Anna Richterova
Mr. Colin Black
Ms. Nisha Valabhji

Counsel for the Accused:

Mr. Predrag Milovančević
Mr. Nikola Perović

TRIAL CHAMBER I (“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”);

CONSIDERING that pursuant to Article 20 (1) the Trial Chamber shall ensure that the trial is fair and expeditious;

CONSIDERING that pursuant to Article 21 (4) (b) the Accused has a right to have adequate time for the preparation of his defence, and that pursuant to Article 21 (4) (c) the Accused has a right to be tried without undue delay;

NOTING the submissions of the Prosecution at the hearing on 3 May 2006 concerning the scheduling of the trial after the close of the Prosecution case;¹

NOTING that the Defence did not have any comments to the Prosecution’s submission;²

NOTING that the court recess is scheduled from Monday 17 July 2006 until Friday 4 August 2006;

NOTING that, at the request of the parties, the Trial Chamber granted the parties a further period of one week for preparations to take place immediately after the court recess, and that, as a consequence, the trial is to resume on Monday 14 August 2006;³

NOTING that on 6 June 2006 the Prosecution informally advised the Trial Chamber that its previous estimate of concluding its case by 16 June 2006⁴ has been slightly revised and that according to the new estimate the Prosecution’s evidence is to conclude on or about 19 June 2006;

NOTING Rules 65 *ter* (G) and (M), 73 *ter*, 84, 85 (A) (ii), and 98 *bis* of the Rules of Procedure and Evidence (“Rules”);

NOTING that at the start of the Prosecution case the Defence elected to postpone its opening statement pursuant to Rule 84 until the beginning of the Defence case;⁵

CONSIDERING that it is in the interests of a fair and expeditious trial, and of the right of the Accused to a trial without undue delay, to regulate the schedule of the trial for the period following the close of the Prosecution case until the start of the Defence case;

¹ Hearing, 3 May 2006, T. 3985-91.

² Hearing, 3 May 2006, T. 3989-90.

³ Hearing, 3 May 2006, T. 3991-93.

⁴ Hearing, 31 May 2006, T. 4798.

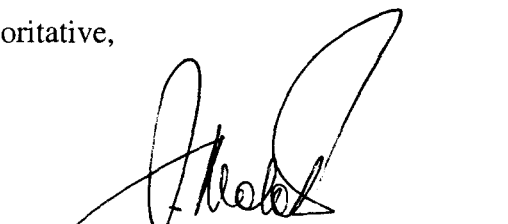
⁵ Pre-Trial Conference, 12 Dec 2005, T. 14.

PURSUANT TO Articles 20 (1) and 21 (4) (b) and (c) of the Statute and Rules 54, 65 *ter* (G) and (M), 73 *ter*, 84, 85 (A) (ii), and 98 *bis*,

ORDERS:

1. The Prosecution evidence shall conclude *at the latest* on Tuesday 20 June 2006;
2. Oral submissions of both parties pursuant to Rule 98 *bis*, if any, shall be made on Wednesday 21 June 2006;
3. Oral judgement pursuant to Rule 98 *bis*, if necessary, shall be delivered on Wednesday 28 June 2006;
4. The Defence shall file its submission pursuant to Rule 65 *ter* (G) by Wednesday 28 June 2006;
5. The Pre-Defence Conference shall take place on Friday 30 June 2006 at a time to be determined;
6. The Defence opening statement shall take place on Friday 7 July 2006;
7. The presentation of Defence evidence shall begin on Monday 10 July 2006;
8. The trial shall stand adjourned on Friday 14 July and shall be resumed on Monday 14 August 2006 in a courtroom to be decided.

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



Judge Bakone Justice Moloto
Presiding

Dated this ninth day of June 2006

At The Hague

The Netherlands

[Seal of the Tribunal]