



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-95-13/1-T
Date: 12 July 2006
Original: English

IN TRIAL CHAMBER II

Before: Judge Kevin Parker, Presiding
Judge Christine Van Den Wyngaert
Judge Krister Thelin
Registrar: Mr. Hans Holthuis
Decision: 12 July 2006

PROSECUTOR

v.

**MILE MRKŠIĆ
MIROSLAV RADIĆ
VESELIN ŠLJIVANČANIN**

SCHEDULING ORDER

The Office of the Prosecutor:

Mr Marks Moore
Mr Alexis Demirdjian
Ms Meritxell Regue

Counsel for the Accused:

Mr Miroslav Vasić and Mr Vladimir Domazet for Mile Mrkšić
Mr Borivoje Borović and Ms Mira Tapušević for Miroslav Radić
Mr Novak Lukić and Mr Momčilo Bulatović for Veselin Šljivančanin

THIS 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 (“International Tribunal”),

NOTING “Mr Mile Mrkšić’s Defence Motion for Extension of Time for Filing the Rule 65*ter* Motion and Preparation of the Defence”, filed on 6 July 2006, seeking an extension by 45 days of the deadline for filing the Defence for Mile Mrkšić’s lists of witnesses and exhibits pursuant to Rule 65*ter* of the Rules of Procedure and Evidence (“Rules”) and a change of the order of the Defence cases or an adjournment of the commencement of the Defence case for Mile Mrkšić;

NOTING that the Defence for Mile Mrkšić relies on difficulties resulting from Mr Vasić’s medical condition and refers to Mr Domazet’s relatively short involvement in the Defence’s work on the case;

NOTING the “Prosecution Response to Defence Motion for Extension of Time for Filing the Rule 65*ter* Motion and Preparation of the Defence”, filed on 7 July 2006, in which the Prosecution requests that the trial resume four weeks after the filing of the Defence 65*ter* lists and that those lists be filed on the same day;

NOTING “Mr Miroslav Radić’s and Mr Veselin Šljivančanin’s Defence Reply to Mr Mile Mrkšić’s Motion for Extension of Time for Filing the Rule 65*ter* Motion and Preparation of the Defence” filed confidentially and *ex parte* on 10 July 2006;

NOTING that in its oral ruling, given on 21 June 2006, the Trial Chamber set out the time-limit for the Defence filings under Rule 65*ter*(G) of the Rules for 12 July 2006 and scheduled the commencement of the Defence case for Mile Mrkšić for 14 August 2006;¹

CONSIDERING that, in view of Mr Vasić’s medical condition, which makes him unable to engage in any work on the preparation of the Defence case for an unspecified period of time, the Defence case cannot commence on the date indicated in the Trial Chamber’s oral ruling of 21 June 2006;

CONSIDERING that the Defence for Miroslav Radić and Veselin Šljivančanin object to the requested rearrangement of the order in which the Defence cases are to be presented, and that such rearrangement might affect the evidence to be led by the Defence for Miroslav Radić and Veselin Šljivančanin;

¹ Transcript pp 10922-10923.

CONSIDERING that in the circumstances it is not practicable to have the lists of witnesses and exhibits filed by the Defence for all three Accused on the same date;

FOR THE FOREGOING REASONS,

PURSUANT TO RULES 54 AND 65ter OF THE RULES,

ORDERS as follows:

- the Defence for Miroslav Radić and Veselin Šljivančanin shall file their pre-Defence filings under Rule 65ter(G) of the Rules by 12 July 2006;
- the Defence for Mile Mrkšić shall file a list of witnesses it intends to call by 3 August 2006;
- the Defence for Mile Mrkšić shall file a summary of facts on which each witness will testify and other information required by Rule 65ter(G) (i) and (ii) of the Rules by 10 August 2006;
- the pre-Defence conference shall take place on 10 August 2006;
- the Defence case for Mile Mrkšić shall commence on 22 August 2006.

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



Judge Parker
Presiding

Dated this twelfth day of July 2006
At The Hague
The Netherlands

[Seal of the Tribunal]