



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-04-74-T
Date: 22 October 2007
Original: ENGLISH
French

IN TRIAL CHAMBER III

Before: Judge Jean-Claude Antonetti
Judge Árpád Prandler
Judge Stefan Trechsel
Reserve Judge Antoine Kesia-Mbe Mindua

Registrar: Mr Hans Holthuis

Order of: 22 October 2007

THE PROSECUTOR

v.

**Jadranko PRLIĆ
Bruno STOJIĆ
Slobodan PRALJAK
Milivoj PETKOVIĆ
Valentin ĆORIĆ
Berislav PUŠIĆ**

PUBLIC

RESCHEDULING ORDER

The Office of the Prosecutor:

Mr Kenneth Scott
Mr Douglas Stringer

Counsel for the Accused:

Mr Michael Karnavas and Ms Suzana Tomanović for Jadranko Prlić
Ms Senka Nožica and Mr Karim A. A. Khan for Bruno Stojić
Mr Božidar Kovačić and Ms Nika Pinter for Slobodan Praljak
Ms Vesna Alaburić and Mr Nicholas Stewart for Milivoj Petković
Ms Dijana Tomašegović-Tomić and Mr Dražen Plavec for Valentin Ćorić
Mr Fahrudin Ibrišimović and Mr Roger Sahota for Berislav Pušić

TRIAL CHAMBER III (“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”),

SEIZED of a joint oral application made by the Accused and the Office of the Prosecutor, requesting that the “Scheduling Order” issued by the Chamber on 27 September 2007 (“Scheduling Order”) be varied and that the date for the presentation of oral submissions under Rule 98 *bis* of the Rules of Procedure and Evidence (“Rules”) be postponed until 21 January 2008 (“Joint Application”),¹

NOTING the Scheduling Order whereby the Chamber set the dates for the end of the Prosecution case, the presentation of oral submissions under Rule 98 *bis* of the Rules, the filing of the lists under Rule 65 *ter* (G) of the Rules, the pre-defence conference under Rule 73 *ter* of the Rules and the beginning of the Defence case,

CONSIDERING that in the Scheduling Order the Chamber decided that the oral submissions under Rule 98 *bis* of the Rules will be presented from 7 January 2008 to 16 January 2008 at the latest,

CONSIDERING that the Parties request additional time to prepare their oral submissions satisfactorily while availing themselves of a few days rest during the Christmas judicial recess,²

CONSIDERING that the Chamber understands the needs of the Parties thus expressed,

CONSIDERING nonetheless that the Chamber wishes to resume its work as soon as possible and that, as a result, it considers it sufficient to postpone the presentation of the oral submissions until 14 January 2007,

¹ Transcript of hearing of 17 October 2007, pp. 23872 and 23873.

² Transcript of hearing of 17 October 2007, pp. 23872 and 23873.

FOR THE FOREGOING REASONS,

PURSUANT TO Articles 20 and 21 of the Statute of the Tribunal and Rules 54, 65 *ter*, 73 *ter* and 98 *bis* of the Rules,

PARTIALLY GRANTS the Joint Application,

RECALLS that in accordance with Rule 98 *bis* of the Rules, submissions made under this Rule are only to be made orally and that the Chamber will not permit written submissions in this respect,

VARIES the Scheduling Order,

DECIDES that the oral submissions under Rule 98 *bis* of the Rules shall be made from 14 to 23 January 2008 at the latest,

DECIDES that all of the following time-limits shall be postponed by one week **AND**

ADOPTS the following adjusted timetable:

End of the Presentation of the Prosecution's Case

a. The presentation of the Prosecution's case will end no later than 13 December 2007.

Presentation of Submissions Pursuant to Rule 98 *bis* of the Rules

b. Submissions pursuant to Rule 98 *bis* of the Rules will be presented orally from 14 January 2008 to 23 January 2008 at the latest. Each Accused will have three hours to present their submissions, unless the Accused decide to divide up the allocated time differently. The Prosecution will have no more than nine hours for its response. There will be no reply.

Filing of Lists Pursuant to Rule 65 *ter* (G) of the Rules

c. The Accused will submit exhibit and witness lists as provided under Rule 65 *ter* (G) of the Rules on 28 February 2008. Each Accused will file:

- i. A list of witnesses they intend to call, specifying:
- The name or pseudonym of each one, including the name of the Accused should they wish to appear as a witness in their own defence pursuant to Rule 85 (C) of the Rules;
 - A summary of the facts about which each witness will testify;
 - The paragraphs of the Indictment and the counts on which each witness will be heard;
 - The total number of witnesses;
 - Whether the witness is to be heard in person or whether reference will be made to a written statement or transcript of testimony previously given in other proceedings before the Tribunal in application of Rule 92 *bis*, Rule 92 *ter* or Rule 92 *quater*, and;
 - The expected duration of each deposition and the expected total length of the presentation of the defence case.
- ii. A list of exhibits they intend to present in support of their case, indicating through which witness, as appropriate, they intend to present them. The same day, the Accused will disclose to the Prosecution copies of the exhibits in question (translated into English as needed).
- iii. A list of expert witnesses that the Accused intend to call in support of their case along with their *curriculum vitae* and expert reports.
- iv. As far as possible, each Accused should also indicate on the lists filed pursuant to Rule 65 *ter* (G) of the Rules the witnesses and exhibits that will be presented by their co-Accused.

Pre-defence Conference

- d. The pre-defence conference pursuant to Rule 73 *ter* of the Rules will take place on 13 March 2008.

Beginning of the Presentation of the Defence Case

- e. The presentation of the Defence case will begin on 17 March 2008.

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

/signed/

Jean-Claude Antonetti

Presiding Judge

Done this twenty-second day of October 2007

At The Hague

The Netherlands

[Seal of the Tribunal]