



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: 9 April 2008
Original: ENGLISH
French

IN TRIAL CHAMBER III

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

Registrar: Mr Hans Holthuis

Order of: 9 April 2008

THE PROSECUTOR

v.

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

PUBLIC

**ORDER TO PROVIDE ADDITIONAL INFORMATION REGARDING THE
65 TERLISTS**

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 Čorić
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”);

PROPRIO MOTU,

NOTING the “Scheduling Order” rendered on 14 February 2008, in which, among other things, the Chamber requested that the Defence teams file their lists of witnesses and exhibits pursuant to Rule 65 *ter* (G) of the Rules of Procedure and Evidence (“Rules”) by 31 March at the latest,

CONSIDERING that during the 65 *ter* meeting on 17 March 2008, the debates covered the possibility of witnesses being common to several Defence teams,

CONSIDERING that the Defence teams filed their lists of witnesses and exhibits on 31 March 2008,

CONSIDERING that after examining the lists, the Chamber noted that some of the Defence teams put witnesses on their lists, including expert witnesses, that also appear on the lists of other Defence teams without indicating that they are common witnesses,

CONSIDERING furthermore that the Chamber has noted that many witnesses will give evidence on subjects that could be relevant for all of the Accused, in particular military, economic or demographic expertise, the international armed conflict, the joint criminal enterprise or the functioning of the HVO and Herceg-Bosna,

CONSIDERING that for the sake of clarity and in order to organise the presentation of the Defence case, the Chamber would like to know which of the witnesses will appear only once at the hearing for two or more Defence teams,

CONSIDERING consequently that the Chamber requests that each Defence team designate which of the witnesses on their 65 *ter* (G) lists, including expert witnesses, will be called by two or more Defence teams, as well as the anticipated time for the examination-in-chief of these witnesses,

FOR THE FOREGOING REASONS,

PROPRIO MOTU,

PURSUANT TO Rules 54 and 65 *ter* (G) of the Rules,

ORDERS each Defence team to indicate in writing by 14 April 2008 at the latest, which witnesses will be called to appear by two or more Defence teams and the anticipated time to conduct their examination-in-chief.

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this ninth day of April 2008
At The Hague
The Netherlands

[S eal of the Tribunal]