



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-03-69-PT
Date: 22 April 2008
Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. Hans Holthuis

Order of: 22 April 2008

PROSECUTOR

v.

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

PUBLIC

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Dermot Groome
Ms. Doris Brehmeier-Metz
Mr. Gregory Townsend
Mr. John Docherty

Counsel for the Accused:

Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash for Jovica Stanišić
Mr. Zoran Jovanović and Mr. Vladimir Domazet for Franko Simatović

TRIAL CHAMBER III (“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 that, following the determination by the Trial Chamber on 10 March 2008 of the fitness of the accused Accused Jovica Stanišić to stand trial, Dr. Falke, Medical Officer of the United Nations Detention Unit, or his staff on his behalf, have submitted to the Trial Chamber a total of 14 reports and documents entitled “Absence from court due to illness” relating to the health of Jovica Stanišić and his inability for medical reasons to attend the court proceedings in this matter,

NOTING in particular the report of 21 April 2008 in which Dr. Falke states that Jovica Stanišić is suffering from “a concentration loss which makes it difficult to for him to read or participate in conversations” and concludes that Jovica Stanišić “is unfit to attend court and as there is no improvement in this condition despite ongoing treatment, [Dr. Falke finds] it difficult to predict how long this will continue”,

CONSIDERING that, in order to assess the impact of those reports upon the future progress of the trial, the Trial Chamber requires additional detail concerning the inability of the accused to attend court or to follow the proceedings via video-conference link,

CONSIDERING that it is in the interests of justice to call Dr. Falke as a witness in order to allow the Parties and the Trial Chamber to question him in relation to his various reports,

PURSUANT to Rule 54 of the Rules of Procedure and Evidence,

- (1) **SETS** Monday 28 April 2008 at 13.15 hours as the date and time at which Dr. Falke shall be heard;
- (2) **INVITES** the Registrar to make all the necessary arrangements for Dr. Falke to attend that hearing; and

(3) **REAFFIRMS** its orders scheduling the Pre-Trial Conference and opening statements for the same day.

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



Judge Patrick Robinson
Presiding

Dated this twenty-second day of April 2008
At The Hague
The Netherlands

[Seal of the Tribunal]