



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-04-81-PT

Date: 2 October 2008

Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding Judge
Judge Christine Van den Wyngaert
Judge Bakone Justice Moloto

Registrar: Mr. Hans Holthuis

Order of: 2 October 2008

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

SCHEDULING ORDER

The Office of the Prosecutor

Mr. Mark Harmon

Counsel for the Accused

Mr. Novak Lukić
Mr. Gregory Guy-Smith
Mr. Jim Castle

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”);

NOTING the “Order Reassigning a Case to a Trial Chamber” issued on 20 March 2008 by the President of the Tribunal;

NOTING the “Order Scheduling Start of Trial” issued by the Trial Chamber on 8 May 2008 in which the Pre-Trial Conference in this case was scheduled to take place on 27 June 2008 with opening statements to begin on 24 July 2008;

NOTING the “Order Rescheduling Start of Trial” (“Rescheduling Order”) issued by the Trial Chamber on 27 June 2008 in which the Pre-Trial Conference was rescheduled to 24 September 2008 with opening statements to begin on 1 October 2008;

NOTING that one reason necessitating the Rescheduling Order was that “the *ad litem* judges appointed to the Trial Chamber for pre-trial proceedings with a view to serving at trial are awaiting approval of their extension by the UN Security Council”;¹

NOTING the “Scheduling Order” issued by the Trial Chamber on 23 September 2008, in which the Pre-Trial Conference was rescheduled to 1 October 2008 with opening statements to begin immediately on the same date, on the grounds that the composition of the Trial Chamber which will conduct the trial remained indeterminate to that date, and that the Pre-Trial Conference is most appropriately conducted by that Chamber;

NOTING that on 24 September 2008, in *lieu* of the Pre-Trial Conference, a Status Conference under Rule 65 *bis* of the Rules of Procedure and Evidence (“Rules”) was held in this case;

NOTING that on 1 October, the Pre-Trial Conference was deferred until further notice since the composition of the Trial Chamber which will conduct the trial still remained indeterminate, pending approval by the UN Security Council of the extension of the terms of the *ad litem* judges;

NOTING the “Order Assigning *Ad Litem* Judges to a Case Before a Trial Chamber”, filed by the President of the Tribunal on 2 October 2008, assigning Judge Pedro David and Judge Michèle Picard to Trial Chamber I for the trial of the case *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-PT, effective 2 October 2008;

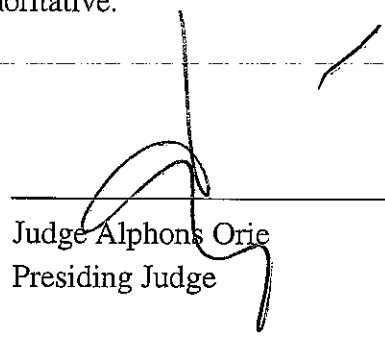
¹ Rescheduling Order, fn. 2.

PURSUANT to Rules 54 and 73 *bis* of the Rules;

HEREBY ORDERS:

1. the Pre-Trial Conference pursuant to Rule 73*bis* to take place on 2 October 2008; and
2. the Opening Statement of the Prosecution pursuant to Rule 84 to take place on 2 October 2008, immediately followed by a statement of the Accused pursuant to Rule 84*bis*.²

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



Judge Alphons Orie
Presiding Judge

Dated this second day of October 2008

At The Hague

The Netherlands

[Seal of the Tribunal]

² The Defence has elected to make its statement after the conclusion of the Prosecution's presentation of evidence. However, It has indicated that the Accused will make a statement pursuant to Rule 84*bis*, Status Conference, 24 September 2008, T. 303.