

IT-06-90-T
D 19931 - D 19929
06 February 2009

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UNITED
NATIONS



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-06-90-T

Date:

6 February 2009

Original:

English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Uldis Ķinis
Judge Elizabeth Gwaunza

Acting Registrar: Mr John Hocking

Decision of: 6 February 2009

PROSECUTOR

v.

ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ

PUBLIC

SCHEDULING ORDER

Office of the Prosecutor

Mr Alan Tieger
Mr Stefan Waespi

Counsel for Ante Gotovina

Mr Luka Mišetić
Mr Gregory Kehoe
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay, QC
Mr Andrew Cayley
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić
Mr Tomislav Kuzmanović

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 that the trial in this case commenced on 11 March 2008;

NOTING that the Prosecution was granted 209.5 hours for the presentation of its case;

CONSIDERING that according to current projections, the Prosecution will close its case no later than the week of 2 March 2009;

CONSIDERING the submissions of the parties given in court on 4 February 2009;

HEREBY ORDERS the following:

a) Oral submissions by the parties pursuant to Rule 98 *bis* of the Rules shall commence on the **10th working day** after the close of the Prosecution’s case;

i. Each Defence team is granted a maximum of **three hours** in which to address the Trial Chamber;

ii. The Prosecution shall address the Trial Chamber in response, with its submissions not to exceed a total of **four hours**;

iii. There shall then follow replies by the Defence, followed by the Prosecution which are not to exceed **one hour** in length for each Defence team and **1.5 hours** for the Prosecution;

b) The Defence teams shall file their witness and exhibit lists pursuant to Rule 65 *ter* (G) of the Tribunal’s Rules of Procedure and Evidence (“Rules”) no later than **twenty-five working days** after the close of the Prosecution’s case. The parties shall endeavour to avoid the presentation of repetitive evidence. Each Defence team shall therefore, to the greatest extent possible, identify in its Rule 65 *ter* lists those witnesses and exhibits that are in common with each of the other Defence teams;

c) The Trial Chamber defers its decision on the exact time for disclosure pursuant to Rule 67 (A) of the Rules;

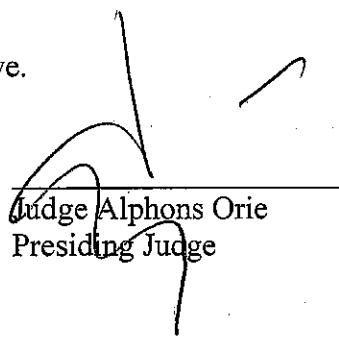
d) In the event there is a need for a Defence case, the Pre-Defence Conference pursuant to Rule 73 *ter* of the Rules shall be held on the **18th working day** after the conclusion of the Rule 98 *bis* submissions;

e) In the event there is a need for a Defence case, it shall commence on the **19th working day** after the conclusion of the Rule 98 *bis* submissions;

INFORMS the parties that the week of 27 April through 3 May 2009, is a non-sitting week.

The dates of this schedule may be adjusted at the discretion of the Trial Chamber or upon a motion by a party showing good cause.

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



Judge Alphons Orie
Presiding Judge

Dated this 6th day of February 2009
At The Hague
The Netherlands

[Seal of the Tribunal]