

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:

23 March 2009

Original:

English

IN TRIAL CHAMBER I

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

Acting Registrar: Mr John Hocking

Order of: 23 March 2009

PROSECUTOR

v.

ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ

PUBLIC

CLOSING ORDER AND AMENDED 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 (“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 its Scheduling Order filed on 6 February 2009;

NOTING that the Prosecution case was materially concluded on 5 March 2009¹;

NOTING the Chamber’s Decision on the Joint Defence Request for a Stay of Proceedings of 23 March 2009, in which the Defence was granted five weeks starting from 23 April 2009 for further investigations into victims of killings listed in the Prosecution’s Further Clarification of 17 July 2008²;

NOTING the commencement of oral submissions pursuant to Rule 98 *bis* of the Tribunal’s Rules of Procedure and Evidence (“Rules”) on 19 March 2009;

CLARIFYING that time granted to the parties in relation to the Rule 98 *bis* submissions in the Chamber’s Scheduling Order of 6 February 2009 remains effective;

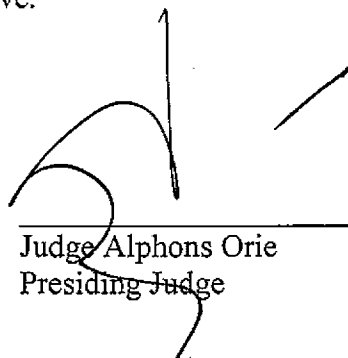
Hereby **AMENDS** the Scheduling Order of 6 February 2009 and **ORDERS** the following:

- a) The Prosecution’s case is formally closed, effective **5 March 2009**;
- b) Should there be a need for a Defence case, the Defence teams shall file their witness and exhibit lists pursuant to Rule 65 *ter* (G) of the Rules no later than **4 May 2009**. 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) Should there be a need for a Defence case, the Defence teams shall perform their disclosure obligation pursuant to Rule 67 (A) of the Rules no later than **20 May 2009**;
- d) Should there be a need for a Defence case, a Pre-Defence Conference pursuant to Rule 73 *ter* of the Rules shall be held on **27 May 2009**, and the Defence case shall commence on **28 May 2009**.

¹ T. 17210.

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 twenty-third day of March 2009
At The Hague
The Netherlands

[Seal of the Tribunal]

² Prosecution's Further Clarification of Identity of Victims, 17 July 2008.