



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: 24 April 2009
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Flavia Lattanzi
Judge Michèle Picard

Acting Registrar: Mr. John Hocking

Order of: 24 April 2009

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANK SIMATOVIĆ**

PUBLIC

**SCHEDULING ORDER FOR
RECOMMENCEMENT OF TRIAL**

The Office of the Prosecutor:

Mr. Dermot Groome
Ms. Doris Brehmeier-Metz

Counsel for the Accused:

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

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”);

CONSIDERING that the trial in this case was initially scheduled to commence on 28 April 2008 and that on 20 May 2008 the Trial Chamber adjourned the proceedings indefinitely for the purpose of reassessing the health of the Accused Stanišić prior to recommencing trial;¹

CONSIDERING FURTHER that the case is currently in the stage of pre-trial proceedings;²

NOTING the Trial Chamber’s decision of 24 April 2009 reassessing the health of the Accused Stanišić and revoking the provisional release of the Accused Stanišić and Simatović for the purpose of recommencing trial;³

CONSIDERING the Trial Chamber’s duty, enshrined in Article 20(1) of the Statute, to ensure that a trial is fair and expeditious and that proceedings are conducted in accordance with the Rules, with full respect for the rights of the accused and due regard for the protection of victims and witnesses;

CONSIDERING that the present order is in keeping with the rights of the Accused as set out in Article 21(4)(b) and (c) of the Statute;

NOTING that the Presiding Judge of the Trial Chamber is currently presiding over trial proceedings in the case of *Prosecutor v. Gotovina et al.*, in which the Defence cases, if any, are scheduled to commence on 27 May 2009, and of which limits for the near future the time the Presiding Judge is available to preside over the present case in court;

CONSIDERING the scheduling needs which require that the present trial proceedings begin, and continue until further notice by the Chamber, with no more than two scheduled court sessions per week;

PURSUANT TO Article 20 of the Statute and Rules 65, 73*bis*, 84 and 84*bis*:

ORDERS as follows:

- the Pre-Trial Conference shall be held on 18 May 2009;

¹ Hearing, 20 May 2008, T. 1258.

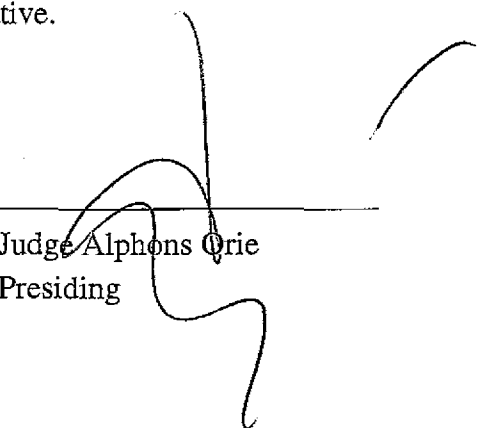
² Decision on Provisional Release, 26 May 2008, para. 63.

³ “Decision on Prosecution Motion for Revocation of Jovica Stanišić’s Provisional Release and Re-Assessment of his Health and Revocation of Frank Simatović’s Provisional Release”, 24 April 2009.

- the opening statement of the Prosecution will be delivered on 25 May 2009;
- opening statements of the Defence, if any, at this stage of the proceedings, as well as any statement of the Accused, shall conclude on 26 May 2009; and
- presentation of evidence by the Prosecution shall recommence on 2 and 3 June 2009, and shall thereafter be scheduled for two court sessions per week until further notice by the Chamber; and
- witnesses heard or exhibits admitted at the initial commencement of trial proceedings in this case shall not be considered as evidence without presentation anew following recommencement of trial.

INFORMS the parties that the venue for the above-mentioned court sessions will be determined and communicated to them at a later stage.

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



Judge Alphons Orie
Presiding

Dated this twenty-fourth day of April 2009
At The Hague
The Netherlands

[Seal of the Tribunal]