

IT-08-91-T
D10479 - D10477
17 DECEMBER 2010

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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-08-91-T
Date: 17 December 2010
Original: English

IN TRIAL CHAMBER II

Before: Judge Burton Hall, Presiding
Judge Guy Delvoie
Judge Frederik Harhoff

Registrar: Mr. John Hocking

Order of: 17 December 2010

PROSECUTOR

v.

MIĆO STANIŠIĆ AND STOJAN ŽUPLJANIN

PUBLIC

**SCHEDULING ORDER
CONCERNING THE END OF THE PROSECUTION
CASE AND THE BEGINNING OF THE DEFENCE CASE**

The Office of the Prosecutor

Ms. Joanna Korner
Mr. Thomas Hannis

Counsel for the Accused

Mr. Slobodan Zečević and Mr. Slobodan Cvijetić for Mićo Stanišić
Mr. Dragan Krgović and Mr. Igor Pantelić for Stojan Župljanin

TRIAL CHAMBER II (“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”);

RECALLING that on 12 and 26 November 2010 the Trial Chamber ordered the Prosecution to complete the testimony of all its witnesses by 17 December 2010, save for Ewan Brown, ST228 and, if permission were granted for him to be recalled, ST181, and further ordered the testimony of these witnesses to be completed by 21 January 2011;¹

RECALLING that on 7 December 2010 the Trial Chamber granted the motion of the Defence of Stojan Župljanin to recall ST181;²

RECALLING that on 9 December 2010 the Trial Chamber granted a joint Defence motion to recall ST191 and for him to be heard after the winter recess;³

CONSIDERING that at the status conference on 15 December 2010 the Prosecution notified the Trial Chamber that it will be seeking to call ST008, who has so far been unable to testify for medical reasons, via video-conference link after the winter recess and that, if granted, he would testify after ST181, ST191, ST228 and Ewan Brown;⁴

CONSIDERING the parties’ submissions at the status conference on 15 December 2010 in respect of the further scheduling of the trial;

PURSUANT TO Article 20 of the Statute and Rules 54, 65 *ter*, 73 *ter*, 84, 98 *bis* and 127;

ORDERS:

- a) the Prosecution to close its case on Thursday 27 January 2011;
- b) the Defence of Mićo Stanišić and the Defence of Stojan Župljanin to inform the Trial Chamber, through its Senior Legal Officer, on Friday 28 January 2011 whether they intend to make submissions pursuant to Rule 98 *bis*;
- c) that submissions pursuant to Rule 98 *bis*, if any, shall be heard on Monday 31 January 2011;

¹ Hearings, 12 Nov 2010, T. 17391, and 26 Nov 2010, T. 17909-17911.

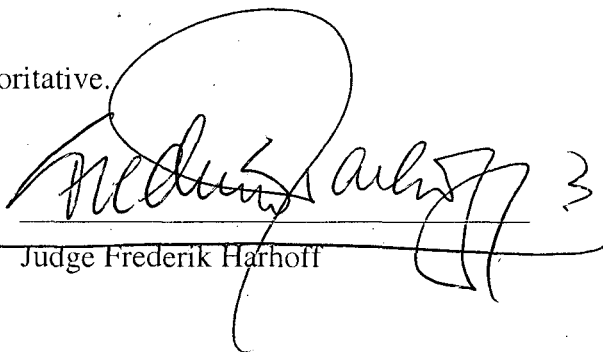
² Hearing, 7 Dec 2010, T. 18279-18280, ruling on the oral motion of the Defence of Stojan Župljanin made at the hearing on 5 Nov 2010 (T. 17005).

³ Hearing, 9 Dec 2010, T. 18455-18457, ruling on Joint Defence motion to recall ST191, filed confidentially on 26 Nov 2010.

⁴ Status conference, 15 Dec 2010, T. 18461-18462.

- d) that subject to the Trial Chamber's oral decision pursuant to Rule 98 *bis*, which will be delivered during the week beginning 7 February 2011, the Defence of Mićo Stanišić and the Defence of Stojan Župljanin shall file on Friday 11 March 2011 their submissions pursuant to Rule 65 *ter*(G), on which date the Defence of Mićo Stanišić shall also provide a list of witnesses for the first two weeks of its case together with any motions for protective measures of these witnesses;
- e) the Prosecution to file expedited responses by Friday 18 March 2011 to any motion for protective measures under e);
- f) the Pre-Defence Conference to be held on Friday 18 March 2011;
- g) the Defence of Mićo Stanišić and the Defence of Stojan Župljanin to make their opening statements, if any, on Friday 25 March 2011, which are to conclude at the latest on Monday 28 March 2011; and
- h) the Defence of Mićo Stanišić to call its first witness the day after the conclusion of the Defence opening statements.

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



Judge Frederik Harhoff

Dated this seventeenth day of December 2010

At The Hague

The Netherlands

[Seal of the Tribunal]