



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-05-87/1-PT

Date: 27th June 2008

Original: English

IN TRIAL CHAMBER III

Before: Judge Frederik Harhoff, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Order of: 27th June 2008

PROSECUTOR

v.

VLASTIMIR ĐORĐEVIĆ

PUBLIC

**SCHEDULING PRE-TRIAL ORDER SETTING THE DATES FOR
SUBMISSION OF THE PRE-TRIAL BRIEFS**

The Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

Counsel for the Accused

Mr. Dragoljub Đorđević
Mr. Velko Đurđić

I, Frederik Harhoff, Judge 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 (“International Tribunal”);

NOTING that the Accused, Vlastimir Đorđević, arrived at the International Tribunal on 17th June 2007, and made his initial appearance before me on 19th June 2007;¹

NOTING that the present Defence Counsel for the Accused was assigned as Defence Counsel for the Accused more than 10 months ago, on 15th August 2007;²

NOTING that the Accused in this case was originally joined as a Co-Accused in the case of *Prosecutor v. Milutinović, et al.*, and that the trial of the Co-Accused is currently pending final briefs and closing oral argument;³

CONSIDERING that the bulk of the indictment in this case is the same as that in the case of the Co-Accused in *Prosecutor v. Milutinović, et al.*, for which reason most of the possible evidence in the present case is already known or available to the Defence;

NOTING that at the Status Conference on 20th June 2008, I advised the Parties that the case should be made ready for trial by mid-October 2008, which is almost 4 months from now, and that I would advise the President accordingly;⁴

NOTING that at the Status Conference on 20th June 2008, I also indicated that the Prosecution should file its Pre-Trial Brief no later than Monday, 25th August 2008, and that the Defence should then file its Pre-Trial Brief on Monday, 15th September 2008;⁵

CONSIDERING the right of the Accused to an expeditious trial and that this right overrides the procedural convenience for the Parties to learn the final outcome of the trial in *The Prosecutor v. Milutinović, et al.* before commencement of the trial in the present case;

¹ *Prosecutor v. Vlastimir Đorđević*, Case No. IT-05-87/1, Transcript of Initial Appearance, 19 June 2007, pp. 1 – 2.

² *Prosecutor v. Vlastimir Đorđević*, Case No. IT-05-87/1, Decision by the Registrar re Assignment of Counsel, 15 August 2007.

³ *Prosecutor v. Milutinović, et al.*, Case No. IT-05-87, Trial Transcript 21 May 2008, p. 26574.

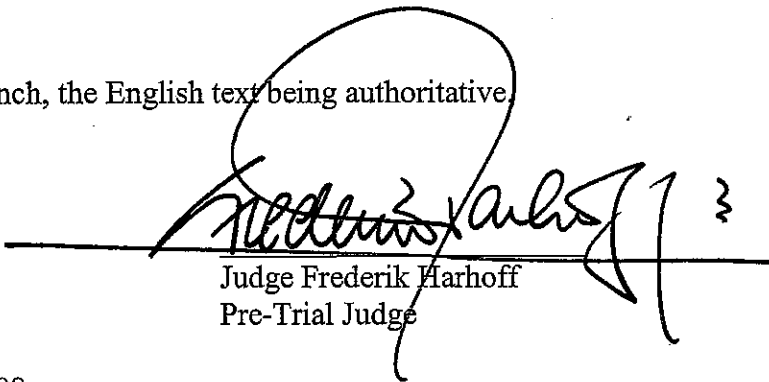
⁴ *Prosecutor v. Vlastimir Đorđević*, Case No. IT-05-87/1, Transcript of Status Conference, 20 June 2008, p. 54 and p. 58.

⁵ *Ibid.*

PURSUANT TO Rules 54 and 65*ter* (D)(ii) of the Rules of Procedure and Evidence, **HEREBY ORDER** that:

- (1) the Prosecution shall file, no later than 25th August 2008, its Pre-Trial Brief, which shall conform to the requirements of Rule 65 *ter* (E)(i);
- (2) the Prosecution shall file, no later than 25th August 2008, its witness and exhibit lists, which shall conform to the requirements of Rules 65 *ter* (E)(ii) and (iii) and which shall indicate, with respect to each witness, the exhibit(s) the witness will offer in evidence and, vice versa, with respect to each exhibit, the witness who will offer the exhibit in evidence. The list of witnesses shall also indicate the provision in the Rules under which each witness will be called (Rules 65*ter*, 92*bis* or 92*ter*), and for each proposed *viva voce* witness, whether the witness will offer written evidence pursuant to Rule 89(F). With regard to each proposed 92*bis* witness, the Prosecution shall indicate whether it believes the witness should attend for cross-examination;
- (3) the Defence shall file, no later than 15th September 2008, its Pre-Trial Brief, which shall conform to the requirements of Rule 65*ter* (F);

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



Judge Frederik Harhoff
Pre-Trial Judge

Done this 27th day of June 2008
At The Hague
The Netherlands

[Seal of the Tribunal]