



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-04-84bis-T
Date: 8 May 2012
Original: English

IN TRIAL CHAMBER II

Before: Judge Bakone Justice Moloto, Presiding
Judge Burton Hall
Judge Guy Delvoie

Registrar: Mr. John Hocking

Decision: 8 May 2012

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

PUBLIC

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Paul Rogers

Counsel for the Accused:

Mr. Ben Emmerson QC and Mr. Rodney Dixon for Ramush Haradinaj
Mr. Gregor Guy-Smith and Ms. Colleen Rohan for Idriz Balaj
Mr. Richard Harvey and Mr. Paul Troop for Lahi Brahimaj

THIS TRIAL CHAMBER (“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 issued on 23 April 2012 by which the Chamber ordered that each of the Accused file written submissions, not later than 27 April 2012, indicating: (i) whether they intend to make submissions pursuant to Rule 98*bis* of the Rules of Procedure and Evidence (“Rules”), and (ii) whether they intend to present a defence case, and scheduled a status conference for 2 May 2012 to discuss the matters further;

NOTING that on 27 April 2012 the three Accused filed written submissions indicating that they do not intend to make submissions pursuant to Rule 98*bis* and, with the exception of Balaj who submitted that he might present a short defence case on issues related to certain medical documents, that they do not intend to present evidence in their defence¹;

NOTING that at the status conference held on 2 May 2012 counsel for Balaj submitted that he would notify the Chamber and the parties by Friday, 4 May 2012 whether he would seek to present the limited defence evidence announced on 27 April 2012;

CONSIDERING that at the status conference on 2 May 2012 the Chamber scheduled provisionally a hearing for 15 May 2012, should Balaj decide to present evidence in his defence;

CONSIDERING further that at the status conference on 2 May 2012 the Chamber made an oral order scheduling dates for submission of final trial briefs and for presentation of closing arguments;

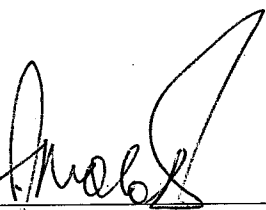
NOTING that on 4 May 2012 Balaj notified the Chamber informally that he will not be presenting any *viva voce* testimony in his defence and that on 7 May 2012 he filed a written notification to this effect²;

For the foregoing reasons and pursuant to Rules 54, 85, and 86(A) and (B) of the Rules hereby:

- (i) **VACATES** the hearing provisionally scheduled for 15 May 2012;
- (ii) **ORDERS** that final trial briefs shall be filed not later than 11 June 2012 and that closing arguments shall be heard on 25 and 26 June 2012.

¹ *Prosecutor v Haradinaj et al*, Case No. IT-04-84bis-T, Defence Notification on Behalf of Ramush Haradinaj on Rule 98*bis* Application and Defence Case, 27 April 2012; *Prosecutor v Haradinaj et al*, Case No. IT-04-84bis-T, Idriz Balaj’s Submission in Response to the Trial Chamber’s Scheduling Order of 23 April 2012, 27 April 2012; *Prosecutor*

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



Judge Bakone Justice Moloto
Presiding Judge

Dated this eighth day of May 2012
At The Hague
The Netherlands

[Seal of the Tribunal]

v Haradinaj et al, Case No. IT-04-84bis-T, Submission on Behalf of Lahi Brahimaj pursuant to Scheduling Order, 27 April 2012.

² *Prosecutor v Haradinaj et al*, Case No. IT-04-84bis-T, Notification, 7 May 2012.