



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-04-74-T  
Date: 9 April 2008  
Original: ENGLISH  
French

**IN TRIAL CHAMBER III**

**Before:** Judge Jean-Claude Antonetti, Presiding  
Judge Árpád Prandler  
Judge Stefan Trechsel  
Reserve Judge Antoine Kesia-Mbe Mindua

**Registrar:** Mr Hans Holthuis

**Order of:** 9 April 2008

**THE PROSECUTOR**

v.

**Jadranko PRLIĆ  
Bruno STOJIĆ  
Slobodan PRALJAK  
Milivoj PETKOVIĆ  
Valentin ČORIĆ  
Berislav PUŠIĆ**

***PUBLIC***

**ORDER TO PROVIDE ADDITIONAL INFORMATION REGARDING THE  
65 *TER* LISTS**

**The Office of the Prosecutor:**

Mr Kenneth Scott  
Mr Douglas Stringer

**Counsel for the Accused:**

Mr Michael Karnavas and Ms Suzana Tomanović for Jadranko Prlić  
Ms Senka Nožica and Mr Karim A.A. Khan for Bruno Stojić  
Mr Božidar Kovačić and Ms Nika Pinter for Slobodan Praljak  
Ms Vesna Alaburić and Mr Nicholas Stewart for Milivoj Petković  
Ms Dijana Tomašegović-Tomić and Mr Dražen Plavec for Valentin Čorić  
Mr Fahrudin Ibrišimović and Mr Roger Sahota for Berislav Pušić

**TRIAL CHAMBER III** (“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”);

**PROPRIO MOTU,**

**NOTING** the “Scheduling Order” rendered on 14 February 2008, in which, among other things, the Chamber requested that the Defence teams file their lists of witnesses and exhibits pursuant to Rule 65 *ter* (G) of the Rules of Procedure and Evidence (“Rules”) by 31 March at the latest,

**CONSIDERING** that during the 65 *ter* meeting on 17 March 2008, the debates covered the possibility of witnesses being common to several Defence teams,

**CONSIDERING** that the Defence teams filed their lists of witnesses and exhibits on 31 March 2008,

**CONSIDERING** that after examining the lists, the Chamber noted that some of the Defence teams put witnesses on their lists, including expert witnesses, that also appear on the lists of other Defence teams without indicating that they are common witnesses,

**CONSIDERING** furthermore that the Chamber has noted that many witnesses will give evidence on subjects that could be relevant for all of the Accused, in particular military, economic or demographic expertise, the international armed conflict, the joint criminal enterprise or the functioning of the HVO and Herceg-Bosna,

**CONSIDERING** that for the sake of clarity and in order to organise the presentation of the Defence case, the Chamber would like to know which of the witnesses will appear only once at the hearing for two or more Defence teams,

**CONSIDERING** consequently that the Chamber requests that each Defence team designate which of the witnesses on their 65 *ter* (G) lists, including expert witnesses, will be called by two or more Defence teams, as well as the anticipated time for the examination-in-chief of these witnesses,

**FOR THE FOREGOING REASONS,**

**PROPRIO MOTU,**

**PURSUANT TO** Rules 54 and 65 *ter* (G) of the Rules,

**ORDERS** each Defence team to indicate in writing by 14 April 2008 at the latest, which witnesses will be called to appear by two or more Defence teams and the anticipated time to conduct their examination-in-chief.

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

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Jean-Claude Antonetti  
Presiding Judge

Done this ninth day of April 2008  
At The Hague  
The Netherlands

**[S eal of the Tribunal]**