



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-03-67-T

Date: 13 November 2007

Original: ENGLISH
French

BEFORE TRIAL CHAMBER III

Before: Judge Jean-Claude Antonetti, presiding
Judge Frederik Harhoff
Judge Flavia Lattanzi

Registrar: Mr Hans Holthuis

Order of: 13 November 2007

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

**ORDER ON TIME ALLOCATED TO THE PROSECUTION PURSUANT
TO RULE 73 *BIS* OF THE RULES OF PROCEDURE AND EVIDENCE**

The Office of the Prosecutor

Ms Christine Dahl

The Accused

Mr Vojislav Šešelj

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 Rule 73 *bis* of the Rules of Procedure and Evidence (“Rules”) which provides that during the pre-trial conference and in the light of the file submitted to the Chamber by the pre-trial Judge pursuant to Rule 65 *ter* (L)(i), the Chamber, after having heard the Office of the Prosecutor (“Prosecution”), shall determine the time available to the Prosecution for presenting evidence and the number of witnesses the Prosecution may call;

CONSIDERING that in the preliminary discussions held during a number of status conferences the Pre-Trial Judge stated that about one hundred of hours seemed to be a reasonable time limit for the Prosecution to present its evidence in the examination-in-chief;¹

CONSIDERING that in keeping with the principle of equality of arms set out in Article 21 of the Statute of the Tribunal (“Statute”), the Accused has the right to the same time-limit as the Prosecution to conduct the cross-examination of the Prosecution witnesses;²

CONSIDERING the *ex parte* list of witnesses submitted on 11 October 2007 by the Prosecution to the Chamber³ and the overall circumstances specific to this case, the Chamber informed the Prosecution that it will have 120 to 125 hours to present its evidence and also stressed that the Chamber was flexible and that, if necessary, the Prosecution may request an extension of the time-limit;⁴

¹ Status Conference of 4 July 2007, Court Transcript in French (“CT (F)”) p. 1351; Status Conference of 20 August 2007, CT (F) pp. 1444-1445; Status Conference of 27 September 2007, CT (F) p. 1527; Status Conference of 23 October 2007, CT (F) p. 1609.

² Status Conference of 4 July 2007, CT (F) p. 1351; Status Conference of 17 August 2007, CT (F) p. 1362.

³ A confidential redacted version was registered on 6 November 2007. See English original: “Prosecution’s Notice of Filing of Redacted Version of Preliminary Order of Witnesses”.

⁴ Pre-Trial Conference of 6 November 2007, CT (F) p. 1754.

CONSIDERING that the Prosecution stated at the Pre-Trial Conference that a total of 120 to 125 hours seemed a good starting point and that it reserved the right to request from the Chamber, if necessary, an extension of the time-limit granted to it;⁵

FOR THE FOREGOING REASONS

PURSUANT TO Article 21 of the Statute and Rules 54 and 73 *bis* of the Rules,

ORDERS that

- i) the Prosecution shall have a total of 120 hours for presenting evidence in this specific case, covering only the examination-in-chief; and
- ii) the Accused shall have the same time-limit for the cross-examination of the Prosecution witnesses during the presentation of his case.

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

/signed/
Jean-Claude Antonetti
Presiding Judge

Done this thirteenth day of November 2007
At The Hague
The Netherlands

[Seal of the Tribunal]

⁵ *Id.*, CT (F) p. 1755.