

IT-06-90-T  
D 19931 - D 19929  
06 February 2009

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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-06-90-T

Date:

6 February 2009

Original:

English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding  
Judge Uldis Ķinis  
Judge Elizabeth Gwaunza

Acting Registrar: Mr John Hocking

Decision of: 6 February 2009

PROSECUTOR

v.

ANTE GOTOVINA  
IVAN ČERMAK  
MLADEN MARKAČ

*PUBLIC*

SCHEDULING ORDER

Office of the Prosecutor

Mr Alan Tieger  
Mr Stefan Waespi

Counsel for Ante Gotovina

Mr Luka Mišetić  
Mr Gregory Kehoe  
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay, QC  
Mr Andrew Cayley  
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić  
Mr Tomislav Kuzmanović

**TRIAL CHAMBER I** (“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”);

**NOTING** that the trial in this case commenced on 11 March 2008;

**NOTING** that the Prosecution was granted 209.5 hours for the presentation of its case;

**CONSIDERING** that according to current projections, the Prosecution will close its case no later than the week of 2 March 2009;

**CONSIDERING** the submissions of the parties given in court on 4 February 2009;

**HEREBY ORDERS** the following:

a) Oral submissions by the parties pursuant to Rule 98 *bis* of the Rules shall commence on the **10th working day** after the close of the Prosecution’s case;

i. Each Defence team is granted a maximum of **three hours** in which to address the Trial Chamber;

ii. The Prosecution shall address the Trial Chamber in response, with its submissions not to exceed a total of **four hours**;

iii. There shall then follow replies by the Defence, followed by the Prosecution which are not to exceed **one hour** in length for each Defence team and **1.5 hours** for the Prosecution;

b) The Defence teams shall file their witness and exhibit lists pursuant to Rule 65 *ter* (G) of the Tribunal’s Rules of Procedure and Evidence (“Rules”) no later than **twenty-five working days** after the close of the Prosecution’s case. The parties shall endeavour to avoid the presentation of repetitive evidence. Each Defence team shall therefore, to the greatest extent possible, identify in its Rule 65 *ter* lists those witnesses and exhibits that are in common with each of the other Defence teams;

c) The Trial Chamber defers its decision on the exact time for disclosure pursuant to Rule 67 (A) of the Rules;

d) In the event there is a need for a Defence case, the Pre-Defence Conference pursuant to Rule 73 *ter* of the Rules shall be held on the **18th working day** after the conclusion of the Rule 98 *bis* submissions;

e) In the event there is a need for a Defence case, it shall commence on the **19th working day** after the conclusion of the Rule 98 *bis* submissions;

**INFORMS** the parties that the week of 27 April through 3 May 2009, is a non-sitting week.

The dates of this schedule may be adjusted at the discretion of the Trial Chamber or upon a motion by a party showing good cause.

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



Judge Alphons Orié  
Presiding Judge

Dated this 6th day of February 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**