



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-95-11-T

Date: 24 May 2007

Original: English

IN TRIAL CHAMBER I

Before: Judge Bakone Justice Moloto, Presiding
Judge Janet Nosworthy
Judge Frank Höpfel

Registrar: Mr. Hans Holthuis

Order of: 24 May 2007

PROSECUTOR

v.

MILAN MARTIĆ

PUBLIC

ORDER FOR SUBMISSIONS

The Office of the Prosecutor:

Mr. Alex Whiting
Ms. Anna Richterova
Mr. Colin Black
Ms. Nisha Valabhji

Counsel for the Accused:

Mr. Predrag Milovančević
Mr. Nikola Perović

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 Prosecution and Defence final trial briefs were filed on 5 January 2007;

NOTING that closing arguments were heard on 10, 11 and 12 January 2007 pursuant to Rule 86 of the Rules of Procedure and Evidence of the Tribunal (“Rules”);

NOTING that Article 24(2) of the Statute provides that “[i]n imposing the sentences, the Trial Chambers should take into account such factors as the gravity of the offence and **the individual circumstances of the convicted person**”;¹

NOTING that Rule 86 (C) provides that “[t]he parties **shall** also address matters of sentencing in closing arguments”;²

CONSIDERING that in their final trial briefs and in their closing arguments the parties did not adequately address the individual circumstances of the Accused Milan Martić as was their duty under the Statute and under the Rules, and **FINDING** that this procedural deficiency must be resolved;

STRESSING that this order is without prejudice to the Trial Chamber’s final findings in this case;

PURSUANT TO Article 24(2) of the Statute and Rules 54, 86 and 126 *bis* of the Rules;

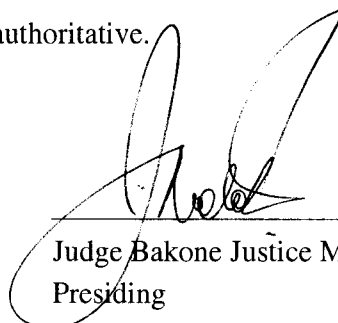
¹ Emphasis added.

² Emphasis added.

ORDERS

- 1) the Prosecution and the Defence to make written submissions, based on the trial record, by Wednesday 30 May 2007 concerning the individual circumstances of the Accused Milan Martić, namely the personal circumstances of the Accused, including but not confined to his age, personality, family situation, and prior conduct,
- 2) that any written response of a party to the written submission of the opposite party be filed by Friday 1 June 2007, and
- 3) that the written submission and any written response of each party be a maximum of 1.500 words and in all other respects in accordance with the Practice Direction on the Length of Briefs and Motions.

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



Judge Bakone Justice Moloto
Presiding

Dated this twenty-fourth day of May 2007

At The Hague

The Netherlands

[Seal of the Tribunal]