

**UNITED
NATIONS**



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-04-81-T
Date: 12 January 2010
Original: English

IN TRIAL CHAMBER I

Before: Judge Bakone Justice Moloto, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. John Hocking

Order of: 12 January 2010

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

ORDER TO DEFENCE TO EXPEDITE FILINGS

The Office of the Prosecutor

Mr. Mark B. Harmon
Mr. Daniel Saxon

Counsel for the Accused

Mr. Novak Lukić
Mr. Gregor Guy-Smith

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”);

BEING SEISED of the Prosecution’s “Prosecution Motion to Add Garry Selsky as a 92 *bis* Witness, with Public Annex A and Confidential Annex B” (“Selsky Motion”), and the “Prosecution Motion to Re-call Witness Randall”, (“Randall Motion”), each filed on 11 January 2010;

CONSIDERING that the issues regarding the addition of Garry Selsky to the 65 *ter* witness list and the admission of his statement into evidence pursuant to Rule 92 *bis* of the Rules of Procedure and Evidence (“Rules”) have been argued at length by the Prosecution and Defence in their submissions relating to documents marked for identification during the Prosecution’s case;¹

CONSIDERING that the Randall Motion pertains to the origin of exhibit P600, which the Prosecution and Defence have already discussed,² and that the Prosecution submits that witness Bretton Randall is available at the Trial Chamber’s convenience until 31 January 2010;³

NOTING that on 12 November 2009 the Trial Chamber scheduled the Defence to begin its case on 25 January 2010;⁴

FINDING there to be good cause for advancing the Defence responses to both motions to ensure the expeditious proceeding of the trial;

PURSUANT to Rules 54, 126 *bis* and 127 of the Rules;

HEREBY ORDERS the Defence to file responses to the Selsky Motion and Randall Motion, if any, by noon on Monday, 18 January 2010.

¹ Public Defence Submission Regarding Outstanding Documents Labelled “Marked for Identification” with Confidential Annex A and Public Annex B, 19 November 2009; Prosecution Submission Regarding Outstanding Documents Labelled “Marked for Identification”, with Annexes A to I, 2 December 2009.

² Randall Motion, para. 2.

³ Randall Motion, para. 3, footnote 2.

⁴ Oral Order, T. 9726, 12 November 2009; Decision on Reconsideration of the Trial Chamber’s Oral Order on the Filing of the Rule 65 *ter* (G) List, 15 December 2009.

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

A handwritten signature in black ink, appearing to read 'Justice Moloto', is written over a horizontal line. A vertical line is positioned to the right of the signature.

Judge Bakone Justice Moloto
Presiding Judge

Dated this twelfth day of January 2010
At The Hague
The Netherlands

[Seal of the Tribunal]