



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-03-69-T

Date: 6 May 2008

Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. Hans Holthuis

Decision of: 6 May 2008

PROSECUTOR

v.

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

PUBLIC

**DECISION ON PROVISION OF DOCUMENTS
AND SCHEDULING OF WITNESSES**

The Office of the Prosecutor

Mr. Dermot Groome
Ms. Doris Brehmeier-Metz
Mr. Gregory Townsend
Mr. John Docherty

Counsel for the Accused

Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash for Jovica Stanišić
Mr. Zoran Jovanović and Mr. Vladimir Domazet for Franko Simatović

TRIAL CHAMBER III (“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 proceedings in the current case commenced on Monday, 28 April 2008;

HEREBY ORDERS the Prosecution, in order to facilitate an efficient progress of the case, to:

- 1) provide the Defence, the Registry, and the Trial Chamber with a list of documents or material it intends to use in court during examination-in-chief no later than 72 hours prior to the testimony of the witness when the total number of pages exceed 100, and in other cases 48 hours in advance of the testimony of the witness,
- 2) submit their *final* list of documents or material to be used during examination-in-chief no later than 4 p.m. on the working day prior to the testimony of the witness,
- 3) within those time-limits, to release to the Defence, the Registry and the Trial Chamber, via the eCourt system, any documents or material that form part of the list of documents or material for use during examination-in-chief.

Should the Prosecution seek to use a document or material during the examination-in-chief of a witness that has not been so listed and disclosed, it may be permitted to do so on showing good cause for not so listing and disclosing it, and

ORDERS the Defence to:

- 1) provide the Prosecution, the Registry, and the Trial Chamber with a list of documents and material it intends to use in court during cross-examination at the commencement of the examination-in-chief of that witness and after he or she has made the solemn declaration pursuant to Rule 90(A) of the Rules,
- 2) within that time-limit, to release to the Prosecution, the Registry and the Trial Chamber, via the eCourt system, any documents or material that form part of the list of documents or material for use during cross-examination.

Should the Defence seek to use a document or material during the cross-examination of a witness that has not been so listed and disclosed, it may be permitted to do so on showing good cause for not so listing and disclosing it.

CONFIRMS its oral order given at the Pre-Trial Conference for the Parties to provide a list of witnesses every Thursday with the names of the witnesses they expect to call the following week.

As to the Prosecution, it will supplement that list with all known prior statements of the witness that are relevant to these proceedings.

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



Judge Patrick Robinson
Presiding Judge

Dated this sixth day of May 2008

At The Hague

The Netherlands

[Seal of the Tribunal]