



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: 16 February  
2011  
Original: English

**IN TRIAL CHAMBER I**

**Before:** Judge Alphons Orie, Presiding  
Judge Michèle Picard  
Judge Elizabeth Gwaunza

**Registrar:** Mr John Hocking

**Order of:** 16 February 2011

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

***PUBLIC***

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**SCHEDULING ORDER**

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**Office of the Prosecutor**

Mr Dermot Groome

**Counsel for Jovica Stanišić**

Mr Wayne Jordash  
Mr Geert-Jan Alexander Knoops

**Counsel for Franko Simatović**

Mr Mihajlo Bakrač  
Mr Vladimir Petrović

**TRIAL CHAMBER I** 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 (“Chamber”);

**NOTING** that the trial in this case commenced on 9 June 2009;

**NOTING** that the Prosecution was granted 130 hours for the presentation of its case;

**CONSIDERING** that the last Prosecution witness gave testimony on 9 February 2011;<sup>1</sup>

**CONSIDERING** the submissions of the parties filed on 2 February 2011;<sup>2</sup>

**CONSIDERING** the scheduling of other cases in which the Judges of this Chamber are involved;

**CONSIDERING** that the implementation of the below time frame may reasonably result in a period of three to four months between the hearing of the last Prosecution witness and the beginning of a possible Defence case;

**FURTHER CONSIDERING** that a longer adjournment than usual before Rule 98 *bis* submissions is not to be seen as pure preparation time for such submissions but has also been taken into account in assessing the overall time between the hearing of the last Prosecution witness and the commencement of a possible Defence case;

**HEREBY ORDERS** the following:

- a) Oral submissions by the parties pursuant to Rule 98 *bis* of the Tribunal’s Rules of Procedure and Evidence (“Rules”), if any, shall be heard **in the first half of April 2011**,<sup>3</sup> the exact dates to be determined at a later stage;
  - i. Each Defence team is granted **three hours and 30 minutes** in which to address the Chamber;
  - ii. The Prosecution shall address the Chamber in response, with its submissions not exceeding 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 **one hour and 30 minutes** for the Prosecution;

<sup>1</sup> The Chamber notes that the Prosecution’s case is to be seen as officially closed from the day of the last decision on admission of evidence by the Chamber. The Chamber currently estimates that due to a number of pending motions, official closure could occur within the next 2-3 weeks.

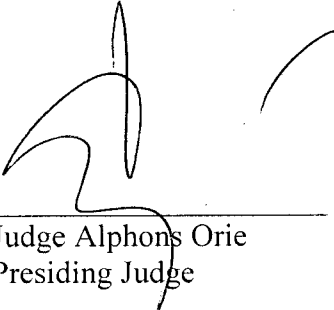
<sup>2</sup> Prosecution Submission in Response to Questions From Trial Chamber, 2 February 2011 (Public); Stanišić Defence Submissions in Response to Questions From Trial Chamber, 2 February 2011 (Public); Simatović Defence Submissions in Response to Questions From the Trial Chamber, 2 February 2011 (Public).

<sup>3</sup> The Chamber reminds the parties that the week of 18-22 April 2011 is a non-sitting week, see T. 10652.

- b) In the event there is a need for a Defence case, the Defence teams shall file their witness and exhibit lists pursuant to Rule 65 *ter* (G) of the Rules no later than **eight days** after the Chamber's Rule 98 *bis* decision;
- c) 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 **tenth working day** after the submission of the Defence's witness and exhibit lists;
- d) In the event there is a need for a Defence case, the Defence teams shall perform their disclosure obligations pursuant to Rule 67 (A) of the Rules no later than **one week** prior to the Pre-Defence Conference;
- e) In the event there is a need for a Defence case, it shall commence on the first working day after the Pre-Defence Conference; and

**INFORMS** the parties that this schedule may be adjusted at the discretion of the Chamber or upon a motion by a party showing good cause.

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



Judge Alphons Orie  
Presiding Judge

Dated this sixteenth of February 2011  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**