



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-05-88-T
Date: 27 March 2009
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge O-Gon Kwon
Judge Kimberly Prost
Judge Ole Bjørn Støle – Reserve Judge

Acting Registrar: Mr. John Hocking

Order of: 27 March 2009

PROSECUTOR

v.

**VUJADIN POPOVIĆ
LJUBIŠA BEARA
DRAGO NIKOLIĆ
LJUBOMIR BOROVIČANIN
RADIVOJE MILETIĆ
MILAN GVERO
VINKO PANDUREVIĆ**

PUBLIC

ORDER ON FINAL TRIAL BRIEFS AND CLOSING ARGUMENTS

Office of the Prosecutor

Mr. Peter McCloskey

Counsel for the Accused

Mr. Zoran Živanović and Ms. Mira Tapušević for Vujadin Popović
Mr. John Ostojić and Mr. Predrag Nikolić for Ljubiša Beara
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić
Mr. Aleksandar Lazarević and Mr. Christopher Gosnell for Ljubomir Borovčanin
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

THIS 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 the “Joint Proposal for Post Trial Proceedings” submitted in an email of 27 February 2009 by the Nikolić Defence on behalf of all Defence teams and the Prosecution;

NOTING that the testimony of the final *viva voce* witness in the Pandurević case was completed on 12 March 2009 and that this was the last Defence case presented;

CONSIDERING that there are few sitting days in the month of March and that the parties can make use of this time for preparation of their final briefs;

CONSIDERING the complexity of the case, the number of Accused, and the amount of documentary and oral evidence;

FURTHER CONSIDERING the interests of a fair and expeditious trial, and the need for efficient management of the proceedings to regulate the final stages of the trial;

PURSUANT TO Articles 20 and 21 of the Statute and Rules 54 and 86 of the Rules of Procedure and Evidence:

HEREBY ORDERS as follows:

- a) The parties shall file their final trial briefs by no later than 30 June 2009.
- b) There shall be no written responses to the final trial briefs.
- c) The final trial briefs shall not exceed 900 pages in length for the Prosecution, and 300 pages in length for each Defence team.
- d) The Trial Chamber shall hear closing arguments from 20 July 2009.
- e) The Prosecution shall have nine hours in which to present closing arguments.
- f) Each Defence team shall have two and a half hours in which to present closing arguments.
- g) The Trial Chamber shall decide upon the time to be allocated for rebuttal and rejoinder arguments, if any, after the completion of the Defence closing arguments.

- h) The parties may apply to have this Order modified by way of motion on good cause being shown.

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



Carmel Agius
Presiding

Dated this twenty-seventh day of March 2009
At The Hague
The Netherlands

[Seal of the Tribunal]