

**UNITED
NATIONS**



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-04-75-T
Date: 20 February 2014
Original: English

IN THE TRIAL CHAMBER

Before: Judge Guy Delvoie, Presiding
Judge Burton Hall
Judge Antoine Kesia-Mbe Mindua

Registrar: Mr. John Hocking

Order: 20 February 2014

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**SCHEDULING ORDER FOR
PREPARATION AND COMMENCEMENT OF DEFENCE CASE**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for Goran Hadžić:

Mr. Zoran Živanović

Mr. Christopher Gosnell

1. **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”) hereby issues this scheduling order in relation to the forthcoming Defence case.

2. The Trial Chamber recalls that—in its “Order on Close of Prosecution Case-in-Chief, Rule 98 *bis* Proceedings, and Preparation and Commencement of Defence Case”, issued on 18 July 2013 (“18 July Order”)—it was decided that the Defence case would commence four months after the Trial Chamber’s decision on the Defence’s Rule 98 *bis* motion, in the event that the motion does not result in a full acquittal.¹ On 20 February 2014, the Chamber issued its decision on the motion and did not issue a judgement of full acquittal.² The Trial Chamber further recalls that it has determined that the Defence must comply with its various pre-Defence case responsibilities at least six weeks prior to the commencement of its case.³ The Trial Chamber therefore finds it appropriate to set the dates for the preparation and commencement of the Defence case.

3. The Chamber reminds the parties that the “Order on Guidelines for Procedure for Conduct of Trial”, issued on 4 October 2012, applies to the Defence case. In this regard, the Defence is reminded that motions for the admission of Rule 92 *ter* statements should be submitted to the Chamber at least six weeks prior to witnesses taking the stand.⁴

4. Accordingly, the Trial Chamber, pursuant to Articles 20 and 21 of the Statute of the Tribunal and Rules 54, 54 *bis*, 65 *bis*, 65 *ter*, 67, 69, 70, 73 *ter*, 75, 84, 85, 92 *bis*, 92 *ter*, 92 *quater*, 94, and 94 *bis*, hereby **ORDERS** as follows:

- (a) The Defence case shall commence on Tuesday, 24 June 2014.
- (b) A pre-defence conference will be held on Tuesday, 17 June 2014 at a time and location to be determined.
- (c) A Rule 65 *ter* conference will be held on Tuesday, 29 April 2014 at a time and location to be determined.
- (d) By no later than Tuesday, 13 May 2014, the Defence shall fulfil all pre-Defence case responsibilities as set out in paragraph 12(f)–(g) of the 18 July Order.

¹ Order on Close of Prosecution Case-in-Chief, Rule 98 *bis* Proceedings, and Preparation and Commencement of Defence Case, 18 July 2013 (“18 July Order”), paras 10, 12(c).

² Hearing, 20 February 2014.

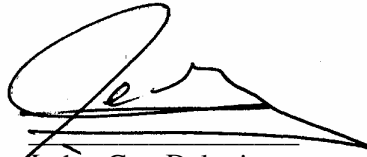
³ 18 July Order, para. 12(f).

⁴ Order on Guidelines for Procedure for Conduct of Trial, 4 October 2012, Annex, para. 20. The Chamber considers such Rule 92 *ter* motions sufficient to fulfil the Defence’s disclosure obligations under Rule 67(A)(ii).

- (e) In accordance with paragraph 10 of the Annex to the “Order on Guidelines for Procedure for Conduct of Trial”, issued on 4 October 2012, the Defence—by 4:00 p.m. on Thursday, 12 June 2014—shall provide to the Chamber, Registry, and Prosecution its first list of witnesses for the period 24 June through 4 July 2014.
- (f) In accordance with paragraph 12(i) of the 18 July Order, the Prosecution shall file its Rule 94 *bis* (B) notice in relation to the Defence’s expert witnesses within 30 days of disclosure of the expert reports.

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

Done this twentieth day of February 2014,
At The Hague,
The Netherlands.



Judge Guy Delvoic
Presiding

[Seal of the Tribunal]