

IT-03-69-T
D35058 - D35054
04 November 2011

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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: 4 November 2011
Original: English

IN TRIAL CHAMBER I

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

Registrar: Mr John Hocking

Order of: 4 November 2011

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**ORDER SCHEDULING A HOUSEKEEPING SESSION AND
INSTRUCTIONS TO THE PARTIES AND THE REGISTRY IN
PREPARATION THEREOF**

Office of the Prosecutor
Mr Dermot Groome

Counsel for Jovica Stanišić
Mr Wayne Jordash
Mr Scott Martin

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 last housekeeping session in this case was held on 18 February 2011;

CONSIDERING that an effective preparation of housekeeping sessions contributes to an effective use of court time and an expedient resolution of pending matters;

HEREBY ORDERS that the next housekeeping session in this case take place on 24 November 2011, unless this day is needed to conclude the testimony of a witness in that week in which case the session shall take place at the next scheduled hearing thereafter;

INSTRUCTS the Registry to prepare the following for this session:

1. Attach English translation (Document ID 0280-9526-ET) to exhibit P1287;
2. Replace erroneous English translation of exhibit P767 with Document ID 0202-7320-EDT;
3. Attach English translations of the documents D280-D290 to these documents in eCourt;¹
4. Attach document ID 1D06-4194 to document D266;
5. Attach document ID 1D04-6949 to document D274;
6. Attach document ID 1D05-6514 to document D310;
7. Provide the parties with a list of documents currently marked for identification;

INSTRUCTS the parties, in addition to preparing for discussions of documents currently marked for identification², to prepare the following for the housekeeping session:

Prosecution

1. Upload a surrogate sheet for exhibit P2977;³

¹ The English translations can be found by searching eCourt for the respective 65 *ter* numbers as opposed to their exhibit numbers.

² This includes any outstanding discussion, uploading, releasing or other verification so as to facilitate that documents can be decided upon at the housekeeping session without the need to come back to them at a later stage.

³ The Registry is already hereby instructed to make the necessary changes in eCourt once the document is uploaded.

2. Upload a B/C/S version of exhibit P243 that corresponds to the English version;⁴
3. Upload a revised English translation of exhibit P813, including a translation of pages 4-8 of the original document;⁵
4. Upload a revised B/C/S version of exhibit P1050 to correspond to its English translation (see Chamber's instruction contained in Decision on the Admission of the Proposed Expert Report by Reynaud Theunens and the Admission of Theunens Related Documents, 1 April 2011);⁶
5. Upload revised English translations of exhibits P1040-P1042 corresponding in scope to the original documents;⁷
6. Upload a B/C/S translation of exhibit P1043 (as opposed to a separate B/C/S version of similar content) and an English translation of exhibit P1011 (as opposed to a separate English version of similar content);⁸
7. Upload a revised English translation of exhibit P839, including a translation of pages 13-16 of the original document;⁹
8. Upload the correct English translation of exhibit P732;¹⁰
9. Upload a revised B/C/S version of exhibit P853, eliminating extraneous page 3;¹¹
10. Verify whether P1287 is a duplicate of P2484;
11. Upload an English translation of exhibit P3000;¹²
12. Upload a complete English translation of exhibit P1812;¹³
13. Upload a complete English translation of exhibit P878;¹⁴

4 Ibid.
5 Ibid.
6 Ibid.
7 Ibid.
8 Ibid.
9 Ibid.
10 Ibid.
11 Ibid.
12 Ibid.
13 Ibid.
14 Ibid.

14. Advise the Chamber whether exhibits D390-D392 and D395 can be public exhibits (see T. 13808-13809);
15. Advise the Chamber whether the Prosecution's comments about the status of parts of Witness Bosnić's testimony are to be understood as a request to lift the confidentiality of these parts (see T. 12821);
16. Advise the Chamber whether the Prosecution intends to recall Witnesses Novaković, Čorbić, or Leković;
17. Respond, if it so wishes, to any updated filing from the Stanišić Defence in relation to its first bar table motion (see 'Stanišić Defence' no. 7 *infra*) no later than two days before the housekeeping session;

Stanišić Defence

1. Advise the Chamber whether exhibit D451 needs to remain under seal;
2. Upload a revised English translation of exhibit D205;¹⁵
3. Upload a revised English translation of document D305;¹⁶
4. Upload a complete English translation of document D380;¹⁷
5. Update the parties and the Chamber on its further investigations about the provenance of document D56;
6. Affirm its agreement with the Prosecution about the signatures on page 2 of the B/C/S version of exhibit P179 and page 1 of the B/C/S version of exhibit P473 (see T. 11957);
7. Update the Chamber, through a filing no later than six days before the housekeeping session, on the Stanišić Defence's First Motion for Admission of Exhibits through the Bar Table, filed on 3 February 2011, in particular whether the Stanišić Defence still intends to bar table these documents as opposed to tendering them through witnesses, and to ensure that all such documents are uploaded and released in eCourt;¹⁸

¹⁵ Ibid.

¹⁶ Ibid.

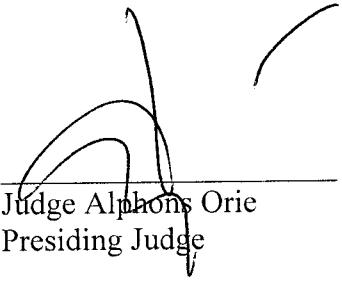
¹⁷ Ibid.

¹⁸ The Chamber could not access seven of the 13 tendered documents, namely documents 1D383-1D388 and 1D1111.

Simatović Defence

1. Update the Chamber whether it intends to pursue its Motion for Binding Order Pursuant to Rule 54 *bis*: Republic of Serbia, filed on 30 May 2011 and whether, and if so when, the Chamber can expect a joint filing by the parties as indicated on 12 October 2011 (T. 14309-14310);
2. Update the Chamber on the date the two proposed Simatović Defence expert reports will be filed and notify the Chamber and the parties of the date through a filing no later than 18 November 2011.

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



Judge Alphons Orie
Presiding Judge

Dated this Fourth of November 2011
At The Hague
The Netherlands

[Seal of the Tribunal]