



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-03-67-PT

Date: 14 June 2007

Original: ENGLISH
French

BEFORE THE PRE-TRIAL JUDGE

Before: Judge Jean-Claude Antonetti

Registrar: Mr Hans Holthuis

Order of: 14 June 2007

THE PROSECUTOR

v.

Vojislav ŠEŠELJ

PUBLIC DOCUMENT

**SCHEDULING ORDER ON THE PROSECUTION MOTION FOR AN
EXTENSION OF TIME**

The Office of the Prosecutor:

Ms Christine Dahl
Mr Ulrich Müssemeyer
Mr Klaus Hoffman

The Accused:

Mr Vojislav Šešelj

I, Jean-Claude Antonetti, Judge 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”);

BEING SEIZED of the motion for an extension of time to file the pre-trial brief, the list of witnesses to be called and the list of exhibits to be offered (“65^{ter} Documents”), filed by the Office of the Prosecutor (“Prosecution”) on 13 June 2007 (“Motion”);¹

NOTING the “Order regarding the Pre-Trial Brief and the Exhibit List offered by the Prosecution in accordance with Rule 65^{ter} (E) of the Rules of Procedure and Evidence” rendered by the Pre-Trial Judge on 31 May 2007 (“Order”) in which the Pre-Trial Judge ordered:

the Prosecution to file, no later than Wednesday, 13 June 2007, its pre-trial brief, the list of witnesses it intends to call, and the list of exhibits it intends to offer, in accordance with the instructions given by the Pre-Trial Judge during the status conference of 2 May 2007²

CONSIDERING that in its motion, the Prosecution argues that the time-limit given to the Prosecution to file the 65^{ter} Documents is insufficient in view of the complexity of the revisions ordered by the Pre-Trial Judge³ and in light of recent judgments from the Trial Chamber and Appeals Chamber of the Tribunal and which could have repercussions on the evidence the Prosecution intends to offer in the present case;⁴

CONSIDERING that if the Order did give the Prosecution two weeks from the status conference on 2 May 2007 to accomplish its revisions, , the Pre-Trial Judge called upon the Prosecution to file the 65^{ter} Documents in accordance with oral instructions issued that same day;

CONSIDERING that during the last status conference held on 5 June 2007, the Prosecution did not raise any problems relating to the application of the Order;

CONSIDERING, furthermore, that the pre-trial phase of the present case has been going on since 24 February 2003,⁵ and that on 8 November 2006, Trial Chamber I decided on a reduction of the indictment⁶ in accordance with Rule 73^{bis} of the Rules of Procedure and Evidence of the Tribunal (“Rules”);

CONSIDERING, in addition, that during the status conference of 2 May 2007, the Prosecution stated that it was willing to begin the trial immediately;⁷

¹ “Prosecution’s Motion for Enlargement of Time in which to Comply with the Order Regarding the Pretrial Brief, the Exhibit List, and the Witness List”, filed on 13 June 2007.

² Order, p. 1.

³ Motion, para. 2.

⁴ *id.*, paras. 4-7.

⁵ Order of the Presiding Judge assigning a case to a Trial Chamber, 25 February 2003.

⁶ Modified Amended Indictment, 12 July 2005.

⁷ Status conference of 22 May 2007, transcript in French (“(T(F)”), p. 1188: “We are ready to start the trial today.”

CONSIDERING that the appeals judgment in the case “*Prosecutor vs Radoslav Brđanin*” was rendered over three months ago⁸ and to this day no Scheduling Order has been issued for the rendering of the final judgment in the case “*Prosecutor vs. Mile Mrkšić et al.*”;

CONSIDERING, however, that it would be reasonable and useful for the Prosecution to consult the judgment recently rendered in the case *Prosecutor vs Milan Martić* in order to draw requisite conclusions in the present case;

FOR THE FOREGOING REASONS

PURSUANT TO Rules 54 and 127 of the Rules,

HEREBY GRANT the Motion in part and **ORDER** the time-limit given to the Prosecution to file the *65ter* Documents, in accordance with instructions given in the Order, to be extended to Monday, 25 June 2007

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

/signed/
Jean-Claude Antonetti
Pre-Trial Judge

Done this fourteenth day of June 2007
At The Hague
The Netherlands

[Seal of the Tribunal]

⁸ *Prosecutor vs Radoslav Brđanin*, Case No. IT-99-36-A, Judgment, 3 April 2007.