



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-98-33-T

Date: 20 February 2001

Original: English
French

IN THE TRIAL CHAMBER

Before: Judge Almiro Rodrigues, Presiding
Judge Fouad Riad
Judge Patricia Wald

Registrar: Mr. Hans Holthuis

Decision of: 20 February 2001

THE PROSECUTOR

v.

RADISLAV KRSTIĆ

SCHEDULING ORDER

The Office of the Prosecutor:

Mr. Mark Harmon

Defence Counsel:

**Mr. Nenad Petrušić
Mr. Tomislav Višnjić**

TRIAL CHAMBER I (hereinafter “the 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 (hereinafter “the Tribunal”);

PURSUANT to Articles 20 and 21 of the Statute of the Tribunal (hereinafter “the Statute”) and Rules 54, 86 and 98 of the Rules of Procedure and Evidence of the Tribunal (hereinafter “the Rules”);

NOTING the Chamber’s Scheduling Order of 14 December 2000; the Defence Motion for the adjournment of the trial session due to the accused’s medical condition filed on 9 January 2001; the Decision of 15 January 2001 by which the Chamber adjourned the trial and ordered that it receive regular reports on General Krstić’s medical condition;

NOTING the medical reports received and in particular: the report dated 19 January 2001 by Doctor Falke which states that the accused’s medical condition is compatible with detention but that surgery was required and that the accused could not participate in his trial until he had fully convalesced which would take an estimated three weeks; the report by Professor B. Pantelić and Doctor M. Košutić dated 31 January which confirms that an operation should be performed as soon as possible, that the operation had been scheduled for 2 February and that convalescence would take approximately six weeks; the report of the same two doctors dated 7 February; the expert reports of N. Gutermann dated 11 and 15 February 2001, from which it emerges *inter alia* that recovery should be complete within three to six weeks of 2 February, the actual date of the operation;

CONSIDERING that the Chamber notified the parties that they would each have a maximum of five hearing days to present their evidence in rebuttal or in rejoinder; that the Defence indicated that it did not intend to use all this time; that the Chamber has considered summoning witnesses pursuant to Rule 98 of the Rules; that, in all, three weeks of hearings should suffice to allow the Chamber to declare the proceedings closed;

FOR THE FOREGOING REASONS,

SETS the following schedule for the Chamber:

- 19 - 23 March 2001: presentation of the Prosecutor's evidence in rebuttal;
- 2 - 6 April 2001: presentation of the Defence's evidence in rejoinder; hearing of any Trial Chamber witnesses;
- 20 April 2001: filing of the parties' final trial briefs with the Registry in at least one of the Tribunal's official languages;
- 1 - 4 May 2001: closing arguments;

STATES that the parties shall each have a maximum of two hearing days for their closing arguments; that there shall be no rebuttal; that the Defence must be prepared to present its closing argument immediately after that of the Prosecutor;

THANKS the Registrar of the Tribunal and the Commander of the United Nations Detention Unit at Scheveningen for taking all necessary measures permitting the above schedule to be respected;

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

Done this twentieth day of February 2001
At The Hague
The Netherlands

(signed)

Almiro Rodrigues
Presiding Judge