



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-95-16-A
Date: 12 April 2001
Original: English

IN THE APPEALS CHAMBER

Before: Judge Patricia Wald, Pre-Appeal Judge
Registrar: Mr. Hans Holthuis
Order of: 12 April 2001

PROSECUTOR

v.

**ZORAN KUPREŠKIĆ
MIRJAN KUPREŠKIĆ
VLATKO KUPREŠKIĆ
DRAGO JOSIPOVIĆ
VLADIMIR ŠANTIĆ**

SCHEDULING ORDER

Counsel for the Prosecutor:
Mr. Upawansa Yapa

Counsel for the Defence:
Mr. Ranko Radović, Mr. Tomislav Pasarić for Zoran Kupreškić
Ms. Jadranka Sloković-Glumac, Ms. Desanka Vranjican for Mirjan Kupreškić
Mr. Anthony Abell, Mr. John Livingston for Vlatko Kupreškić
Mr. Luka Šušak, Ms. Goranka Herljević for Drago Josipović
Mr. Petar Pavković, Mr. Mirko Vrdoljak for Vladimir Šantić

I, PATRICIA WALD, 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 (“the International Tribunal”),

HAVING BEEN APPOINTED as pre-appeal Judge in this matter by virtue of an order of the Appeals Chamber dated 14 March 2001;

NOTING the “Decision on the Motions of Appellants Vlatko Kupreškić, Drago Josipović, Zoran Kupreškić And Mirjan Kupreškić To Admit Additional Evidence”, issued confidentially on 26 February 2001;

— **NOTING** that an oral hearing took place on 30 March during which the Appellants were required to present oral argument as to how proposed additional evidence satisfied the requirements of Rule 115 of the Rules;

NOTING the “Decision on the Admission of Additional Evidence Following Hearing Of 30 March 2001”, issued on 11 April 2001 (“the Decision on Admission of Evidence”) in which *inter alia* Vlatko Kupreškić’s Rule 115 Motion is granted in part insofar as the evidence of AVK 4, Miro Lazarević, and exhibits ML 1, ML 2, ML 3; Muhamed Trako and exhibits MT 1 and MT 2; Ivan Cosić and exhibits IC 1 and IC 2 are admitted into the appeal proceedings without prejudice to the determination of the weight to be afforded to the evidence;

— **NOTING** that the Appeals Chamber ordered in the Decision on Admission of Evidence that an evidentiary hearing be scheduled to call the evidence of the above-mentioned witnesses;

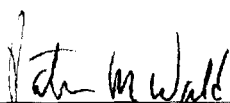
NOTING that the Prosecution has maintained a right to call evidence in rebuttal and cross-examine any witness from whom statements have been proffered;

HEREBY ORDER that:

1. An evidentiary hearing shall take place on 17 and 18 May 2001, starting on 17 May at 10 am;
2. The Appellant Vlatko Kupreškić has an opportunity to call the evidence of witness AVK 4;
3. The Appellant Vlatko Kupreškić has an opportunity to call the evidence of witnesses Miro Lazarević, Muhamed Trako and Ivan Cosić but invites the Appellant to limit the hearing of these witnesses to only one of the three named witnesses and to seek the admission of the

evidence by two of the other named witnesses in the form of a written statement in conformity with Rule 92 *bis* of the Rules.

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



Judge Patricia Wald

Pre-Appeal Judge

Dated this 12th day of April 2001
At The Hague,
The Netherlands.

[Seal of the Tribunal]