



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: 30 May 2001
Original: English

BEFORE THE APPEALS CHAMBER

Before: Judge Patricia Wald, Presiding
Judge Lal Chand Vohrah
Judge Rafael Nieto-Navia
Judge Fausto Pocar
Judge Liu Daqun

Registrar: Mr. Hans Holthuis

Order of: 30 May 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. William Clegg Q.C., Ms. Goranka Herljević for Drago Josipović
Mr. Petar Pavković, Mr. Mirko Vrdoljak for Vladimir Šantić

THE APPEALS 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 (“International Tribunal”),

NOTING the Notices of Appeal under Rule 108 of the Rules of Procedure and Evidence (“the Rules”) filed on 24 January 2000 by Vladimir Šantić; 26 January 2000 by Drago Josipović and Vlatko Kupreškić; 27 January 2000 by Zoran Kupreškić; 28 January 2000 by Mirjan Kupreškić; and 31 January 2000 by the Office of the Prosecutor (“the Prosecution”);

NOTING that Appellant’s Briefs were filed under Rule 111 of the Rules by Zoran Kupreškić, Mirjan Kupreškić, Drago Josipović, Vladimir Šantić on 3 July 2000 and by Vlatko Kupreškić on 5 September 2000 (together “the Appellants”);

NOTING that the Prosecution filed an Appeal Brief under Rule 111 of the Rules on 3 July 2000;

CONSIDERING that the order of the Appeals Chamber on 29 August 2000 had the effect of suspending the briefing schedule for the filing of further appellate briefs;

CONSIDERING that as all the Appellants’ motions for the admission of additional evidence under Rule 115 of the Rules have been determined by the Appeals Chamber it is in the interests of justice that the briefing schedule resumes immediately;

CONSIDERING that the Appeals Chamber would be assisted by each Appellant filing a document, supplemental to his Appellant’s Brief, relating to the additional evidence that has been admitted into evidence in the appeal by the Appeals Chamber in its decisions of 26 February 2001, 11 April 2001 and 29 May 2001 (“Supplemental Document”) as to how the additional evidence affects the arguments set out in his Appellant’s Brief;

NOTING the “Decision on the Prosecution’s Motion Seeking Leave to File an Amended Appeal Brief” issued on 30 May 2001 granting leave to the Prosecution to file an amended appeal brief under Rule 111 of the Rules (“the Prosecution’s Amended Appeal Brief”);

CONSIDERING that the Prosecution’s Amended Appeal Brief appeals against the acquittal of Drago Josipović and Vladimir Šantić on counts 17 and 19 of the indictment, and that only Drago

Josipović and Vladimir Šantić are required to file Respondent's Briefs in response under Rule 112 of the Rules of Procedure and Evidence;

HEREBY ORDERS that:

1. The Appellants may each file, on or before Wednesday 13 June 2001, a Supplemental Document of no more than 25 pages in length relating to the additional evidence that has been admitted into evidence in the appeal by the Appeals Chamber in its decisions of 26 February 2001, 11 April 2001 and 29 May 2001 as to how the additional evidence affects the arguments set out in his Appellant's Brief.
2. The Prosecution shall file, on or before Thursday 28 June 2001, its Respondent's Brief of argument and authorities under Rule 112 of the Rules of Procedure and Evidence in response to the Appellant's Briefs and any Supplemental Documents;
3. Drago Josipović and Vladimir Šantić shall file, on or before Monday 2 July 2001, Respondent's Briefs of argument under Rule 112 of the Rules in response to the Prosecution's Amended Appeal Brief;
4. The Appellants may file, on or before Friday 13 July 2001, a brief in reply under Rule 113 of the Rules to the Respondent's Brief of argument of the Prosecution;
5. The Prosecution may file, on or before Monday 16 July 2001, a brief in reply under Rule 113 of the Rules to Drago Josipović and Vladimir Šantić's Respondent's Briefs of argument in response to the Prosecution's Amended Appeal Brief;
6. The Briefs and Supplemental Documents should be filed publicly, but any material requiring confidential treatment shall be discussed in a confidential annex to the filing.
7. The appeal hearing shall be held on Monday 23 July to Wednesday 25 July 2001;
8. A further scheduling order will be issued in due course setting out the protocol for the appeal hearing.

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



Patricia Wald

Presiding Judge

Dated this 30th day of May 2001
At The Hague,
The Netherlands.

[Seal of the Tribunal]