



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 July 2001  
Original: English

**IN THE APPEALS CHAMBER**

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

**Registrar:** Mr. Hans Holthuis

**Order of:** 12 July 2001

**PROSECUTOR**

v.

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

**SCHEDULING ORDER VARYING TIME LIMIT FOR FILING  
OF APPELLANTS' BRIEF IN REPLY**

**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 (“Appeals Chamber” and “International Tribunal” respectively),

**NOTING** the “Scheduling Order”, dated 30 May 2001 (“Scheduling Order of 30 May”), in which the Appeals Chamber ordered, *inter alia*, that

1. the Prosecution’s Respondent’s Brief, pursuant to Rule 112 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), shall be filed no later than 28 May 2001;
2. Vladimir Šantić, Drago Josipović, Vlatko Kupreškić, Zoran Kupreškić and Mirjan Kupreškić (“Appellants”) may file their Briefs in Reply, pursuant to Rule 113 of the Rules, no later than 13 July 2001; and
3. the appeal hearing shall be held on Monday 23 July to Wednesday 25 July 2001;

**NOTING** the “Scheduling Order Varying Time-Limit for Filing of Appellant’s Brief in Reply”, dated 5 July 2001 (“Scheduling Order of 5 July”), in which the Appeals Chamber, due to the delay in the distribution of the Prosecution’s Respondent’s Brief, varied the Scheduling Order of 30 May by extending the time-limit for the filing of the Appellants’ Brief in Reply until 18 July 2001;

**NOTING** that Counsel for Zoran Kupreškić and Mirjan Kupreškić requested during the Status Conference held on 9 July 2001 that the appeal hearing be postponed and that they be granted a 30 day time period from the date of receipt of the Prosecution’s Respondent’s Brief to file their Briefs in Reply (“Request”);<sup>1</sup>

**NOTING** that Counsel for Zoran Kupreškić and Mirjan Kupreškić submit as grounds for the Request that they received copies of the Prosecution’s Response Brief only on 9 July 2001 and that the current time-limit of 18 July 2001 does not grant them sufficient time to prepare their Brief in Reply;

**NOTING**, according to information from Registry, that the size of the Prosecution’s Respondent’s Brief prevented it from being transmitted by facsimile; that it instead was distributed by way of courier to Drago Josipović and Vlatko Kupreškić, who received their copies on 4 July 2001; but that in the case of Zoran Kupreškić, Mirjan Kupreškić and Vladimir Šantić copies were, due to the anticipated delay in the courier service to Zagreb, Croatia, left in their security locker at the

International Tribunal, knowing that Counsel would be coming to The Hague for the purpose of the Status Conference on 9 July 2001;

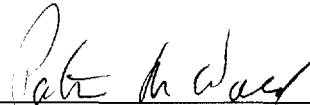
**CONSIDERING** that Zoran Kupreškić and Mirjan Kupreškić, accordingly, did not receive a copy of the Prosecution's Respondent's Brief until 9 July 2001;

**CONSIDERING** that Rule 113 of the Rules provides that an appellant may file a brief in reply within fifteen days after the filing of the respondent's brief;

**CONSIDERING** that in the present circumstances it would be appropriate to extend the time-limit for the filing of Zoran Kupreškić's and Mirjan Kupreškić's Briefs in Reply;

**HEREBY VARIES** the Scheduling Order of 5 July 2001 by extending the time-limit for the filing of Zoran Kupreškić's and Mirjan Kupreškić's Briefs in Reply until no later than 2 p.m. on Friday 20 July 2001 and **DISMISSES** all other aspects of the Request.

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



Patricia M. Wald  
Presiding

Dated this 12<sup>th</sup> day of July 2001  
At The Hague,  
The Netherlands.

[Seal of the Tribunal]

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<sup>1</sup> Transcript pp. 526-527.