

UNITED
NATIONS

IT-98-30/1-A
A 3403 - A3401
25 February 2003

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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: IT-98-30/1-A
Date: 25 February 2003
Original: English

IN THE APPEALS CHAMBER

Before: Judge David Hunt, Pre-Appeal Judge

Registrar: Mr Hans Holthuis

Order of: 25 February 2003

PROSECUTOR

v

**Miroslav KVOČKA
Mlađo RADIĆ
Zoran ŽIGIĆ
Dragoljub PRCAĆ**

ORDER

Counsel for the Prosecutor:

Mr Christopher Staker

Counsel for the Defence:

**Mr Krstan Simić for Miroslav Kvočka
Mr Toma Fila for Mlađo Radić
Mr Slobodan Stojanović for Zoran Žigić
Mr Jovan Simić for Dragoljub Prcać**

I, Judge David Hunt, a Judge of the Appeals Chamber,

NOTING the “Prosecution’s Third Status Report on Disclosure”, filed on 12 February 2003;

NOTING the Status Conference held on 14 February 2003, during which counsel for the Prosecution informed the court that disclosure to the Defence had been completed on 13 February;

NOTING that counsel for the Defence advised the court that they would need a week to review the material disclosed by the Prosecution and assess how long they will need to file any potential motion for additional evidence pursuant to Rule 115 of the Rules of Procedure and Evidence;

NOTING the “Order” of 17 February whereby counsel for Kvočka, Radić and Prcać as well as Zoran Žigić himself were ordered to file no later than Friday 21 February 2003 at 4 pm a document stating how long they think they will need to file any potential Rule 115 motions;

NOTING the Reports filed by Kvočka, Radić, Prcać and Žigić on 21 February;¹

NOTING that Kvočka informed the Appeals Chamber that he will not file any Rule 115 Motion;²

NOTING that Radić informed the Appeals Chamber that he will be in a position to file his Rule 115 Motion no later than 26 February 2003;³

NOTING that Radić has now filed his Rule 115 Motion;⁴

NOTING that Prcać informed the Appeals Chamber that he will be in a position to file his Rule 115 Motion no later than 26 February 2003;⁵

NOTING that Žigić, who is un-represented, informed the Appeals Chamber that for lack of time he has not been able to review the material disclosed by the Prosecution and therefore requests more time in which to do so;

¹ Report to the Appeals Chamber on the Status of the Accused Zoran Žigić; Defence Response to Order From 17 February 2003 (Kvočka); Defence Notice of Compliance with Order of 17th of February 2003 (Radić); Defence Notice of Compliance with Order of 17th of February 2003 (Prcać).

² Defence Response to Order From 17 February 2003, pars 5-6.

³ Defence Notice of Compliance with Order of 17th of February 2003, pars 5-6.

⁴ Motion of Mlado Radić to Admit Additional Evidence Pursuant to Rule 115, 25 Feb 2003.

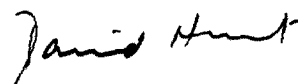
⁵ Defence Notice of Compliance with Order of 17th of February 2003, par 2.

HEREBY ORDER that Prcać shall file his Rule 115 Motion no later than 26 February 2003. Once the Rule 115 Motion of Prcać has been filed, **INVITE** the Prosecution to make submissions concerning the time which it will need to respond to these Motions.

GRANT Žigić the extension of time which he seeks and **ORDER** him to file, no later than five working days after a BCS translation of this Order is received by him, a document stating how long he thinks he will need to file any potential Rule 115 motion.

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

Dated this 25th day of February 2003,
At The Hague,
The Netherlands.



David Hunt
Pre-Appeal Judge

[Seal of the Tribunal]