



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-99-36-T
Date: 31 July 2003
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge Ivana Janu
Judge Chikako Taya

Registrar: Mr. Hans Holthuis

Decision of: 31 July 2003

PROSECUTOR

v.

RADOSLAV BRDANIN

SCHEDULING ORDER

The Office of the Prosecutor:

Ms. Joanna Korner

Counsel for the Accused:

Mr. John Ackerman
Mr. David Cunningham

TRIAL CHAMBER II (“Trial 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 (“Tribunal”):

BEING SEISED OF the “Motion to Reinstate 27 October as the Start Date for the Brdjanin Defence Case” filed on 23 July 2003 by Counsel for the Accused Radoslav Brđanin (“Defence”), wherein the Defence requests that the opening of the Defence case be delayed until 27 October on the basis that the delayed start “will actually occasion no delay in the completion date of the trial”;

NOTING the Trial Chamber’s “Scheduling Order”, filed on 11 June 2003, and “Corrigendum”, filed on 13 June 2003, setting out deadlines for a motion and response pursuant to Rule 98 *bis*;

CONSIDERING the necessity of progressing in a timely fashion with the hearing of this case;

FOR THE FOREGOING REASONS

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence;

HEREBY GRANTS the Motion in part insofar as it agrees with a delayed start of the Defence case, and **ORDERS** as follows:

1. With respect to the Office of the Prosecutor (“Prosecution”) case in chief:
 - (a) Witness Rasim Čirkić shall testify before the Trial Chamber on 27 August 2003;
 - (b) Witness BT-19 shall testify before the Trial Chamber on 28 and 29 August 2003;
2. With respect to a possible Rule 98 *bis* motion:
 - (a) The Defence shall file any motion pursuant to Rule 98 *bis* by no later than 12.00, 22 August 2003;
 - (b) The Prosecution shall file its response to any such motion by no later than 12.00, 5 September 2003;
 - (c) The Defence may then be granted time to file a supplement to any motion pursuant to Rule 98 *bis* already filed, if necessary;
 - (d) The oral decision on the Rule 98 *bis* motion should be rendered on 9 October 2003;

3. With respect to the Defence case:

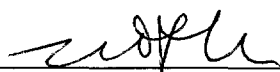
- (a) The Defence shall comply with the requirements set out under Rule 65 *ter* (G) by no later than 12.00, 29 September 2003;
- (b) Pursuant to Rule 73 *ter*, a Pre-Defence Conference shall take place on 9 October 2003;
- (c) The Defence case shall open on 14 October 2003, following the cross-examination of expert witnesses Ewan Brown and Patrick Treanor.

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

Dated this 31st day of July 2003,

At The Hague

The Netherlands



Carmel Agius

Presiding Judge

[Seal of the Tribunal]