



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-98-30/1-A
Date: 19 March 2004
Original: English

IN THE APPEALS CHAMBER

Before: Judge Mohamed Shahabuddeen, Presiding
Judge Fausto Pocar
Judge Florence Mumba
Judge Mehmet Güney
Judge Inés Mónica Weinberg de Roca

Registrar: Mr. Hans Holthuis

Order of: 19 March 2004

PROSECUTOR

v.

**Miroslav KVOČKA, Mlado RADIĆ, Zoran ŽIGIĆ and Dragoljub
PRCAĆ**

SCHEDULING ORDER

Counsel for the Prosecutor:

Mr. Norman Farrell

Counsel for the Appellants:

**Mr. Krstan Simić for Miroslav Kvočka
Mr. Toma Fila for Mlado Radić
Mr. Slobodan Stojanović for Zoran Zigić
Mr. Jovan Simić for Dragoljub Prcać**

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 that the filings on appeal are complete;

NOTING the “Scheduling Order” issued on 16 February 2004, which orders that the hearing on appeal in this case shall commence on 23 March 2004 with the hearing of the additional witnesses and any admitted rebuttal witnesses;

NOTING the “Scheduling Order”, issued on 3 March 2004, which states that, following the hearing of the additional witnesses and any rebuttal witnesses on 23 March 2004, three full days are available for hearing the arguments of the parties in this case, namely, 24, 25 and 26 March 2004, and orders the parties to submit to the Appeals Chamber before 10 March 2004 an estimation of the time needed for the presentation of the common grounds and individual grounds of appeal;

NOTING the “Defence Notice of Compliance with Appeals Chamber order dated the 3rd of March 2004” filed on 4 March 2004 by the Appellant Radić, in which he submits that he has reached an agreement with the defence counsel for the Appellant Prcać, who will present “the issues concerning the collection center Omarska” on behalf of both appellants, and requests one hour to present issues pertaining only to the Appellant Radić;

NOTING the “Defence notice of compliance with Appeals Chamber’s Scheduling Order” filed on 8 March 2004 by the Appellant Prcać, in which he (understood to be counsel) requests two and a half hours to present “the common appeal arguments pertaining to the Omarska camp”;

NOTING “Zoran Zigić’s Submission pursuant to Appeal Chamber Order of 3 March 2004” filed by the Appellant Zigić on 8 March 2004, in which he requests a whole working day to present his grounds of appeal and also asks that the Appellant Zigić himself be granted one hour in the beginning of the time allotted to his defence;

NOTING the “Prosecution’s notice of compliance with the Appeals Chamber’s Scheduling Order and Response to ‘Request for Absence of M. Kvočka from the hearing on presentation of appeal procedure’” filed by the Prosecutor on 9 March 2004, in which the Prosecutor estimates that it would require a total of eight working hours to respond to the Appellants’ appeals;

NOTING the “Notice on necessary time for oral exposure on the appeal brief” filed by the Appellant Kvočka on 12 March 2004, in which he requests one and a half to two hours to present his oral arguments;

NOTING the “Decision” rendered confidentially on 18 March 2004, which decides to postpone the hearing of the other additional witness’ testimony as well as that of the two rebuttal witnesses in order that arrangements, if possible, can be made for them to testify as early as practicable after the hearing of the case on appeal;

HEREBY INFORMS the parties that the timetable of the hearings in this case shall be as follows, subject to adjustments where appropriate:

Tuesday, 23 March 2004:

Hearing of Additional Witness:

9:30 a.m. – 9:35 a.m.	Introductory Statement by the Presiding Judge (5 minutes)
9:35 a.m. – 10:05 a.m.	Examination of Witness KV1 by the Appeals Chamber (30 minutes)
10: 05 a.m. – 10:35 a.m.	Examination of Witness KV1 by the Appellant Žigić (30 minutes)
10:35 a.m. – 11:05 a.m.	Examination of Witness KV1 by the Prosecutor (30 minutes)
11:05 a.m. - 11.15 a.m.	Further questioning from the Bench (10 minutes)
11:15 a.m. – 11:45 a.m.	Pause (30 minutes)

Hearing of the Appellant Prcać’s appeal

11:45 a.m. – 11:55 a.m.	Introductory Statement by the Presiding Judge (10 minutes)
11: 55 a.m. - 13: 25 p.m.	Submissions by the Appellant Prcać (1 hour and 30 minutes)
13:25 p.m. - 14:45 p.m.	Pause (1 hour and 20 minutes)
14:45 p.m. – 16:15 p.m.	Response of the Prosecutor (1 hour and 30 minutes)
16:15 p.m. - 16: 35 p.m.	Reply by the Appellant Prcać (20 minutes)

Wednesday, 24 March 2004

Hearing of the Appellants Radić and Kvočka’s appeal

9:30 a.m. - 10:30 a.m.	Submissions by the Appellant Radić (1 hour)
10:30 am - 11:30 a.m.	Response of the Prosecutor (1 hour)
11:30 a.m. - 11.45 a.m.	Reply by the Appellant Radić (15 minutes)

11:45a.m. - 14:00 p.m. *Pause (2 hours and 15 minutes)*

14: 00 p.m. - 15:30 p.m. Submissions by the Appellant Kvočka (1hour and 30 minutes)

15:30 p.m. - 15:45 p.m. *Pause (15 minutes)*

15:45 p.m. - 17:15 p.m. Response by the Prosecutor (1 hour and 30 minutes)

17: 15 p.m. - 17:35 p.m. Reply by the Appellant Kvočka (20 minutes)

Thursday, 25 March 2004

Hearing of the Appellant Žigić's appeal

9:00 a.m. – 11:00 a.m. Submissions by the Appellant Žigić's (2 hours)

11:00 a.m. – 11.30 a.m. *Pause (30 minutes)*

11:30 a.m. - 13:30 p.m. Submissions by the Appellant Žigić's (2 hours)

13:30 p.m. - 15:00 p.m. *Pause (1 hour and 30 minutes)*

15:00 p.m. – 17:00 p.m. Response by the Prosecutor (2 hours)

Friday, 26 March 2004

Hearing of the Appellant Žigić's appeal

9:30 a.m. - 11:30 a.m. Response by the Prosecutor to Žigić's submissions (2 hours)

11:30 a.m. - 12:00 p.m. *Pause (30 minutes)*

12:00 a.m. - 12:30 a.m. Reply by the Appellant Žigić (30 minutes)

12:30 p.m. - 13.00 p.m. Appellants' personal interventions. (30 minutes)

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



Mohamed Shahabuddeen
Presiding Judge

Dated this 19th day of March 2004,
At The Hague,
The Netherlands.

[Seal of the Tribunal]