



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: 14 July 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: 14 July 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 the “Decision on Appellants’ Motions to Admit Additional Evidence pursuant to Rule 115” issued on 16 February 2004 which ordered, pursuant to Rules 98 and 107 of the Rules of Procedure and Evidence (“Rules”), that Witness KV2 be heard by the Appeals Chamber during the hearing on appeal;

NOTING the “Decision on Prosecution’s motion to adduce rebuttal material” rendered on 12 March 2004, which found the evidence contained in the three witness statements attached to the Prosecution’s Motion to be admissible as rebuttal material and ordered the Prosecution in conjunction with the Victims and Witnesses Unit to arrange for the rebuttal witnesses to appear before the Appeals Chamber during the hearing on appeal, on 23 March 2004;

NOTING the Decision rendered confidentially on 18 March 2004, in which the Appeals Chamber noted that the Australian authorities indicated that they were unable “to compel a witness to attend before the ICTY in The Hague to give evidence” and that, as a result, the Appeals Chamber decided to postpone the hearing of Witness KV2’s 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;

NOTING the “Order for a testimony by video-conference link and protective measures” rendered confidentially on 25 June 2004, which ordered that Witness KV2 shall testify through video-conference link, using technical means to distort his facial image and his voice broadcast to the public, preferably on a day between 19 and 23 July 2004 and that a pseudonym shall be used whenever referring to him in proceedings before the International Tribunal and in discussions among parties during the hearing on appeal;

NOTING the “Decision on Prosecution’s request for testimony by video-conference link and protective measures” and the similarly entitled decision both rendered confidentially on 2 July 2004, which ordered that Witness KV3 and Witness KV4 shall testify through video-conference link, using technical means to distort their facial images and their voices broadcast to the public, preferably on a day between 19 and 23 July 2004 and that a pseudonym shall be used whenever

referring to them in proceedings before the International Tribunal and in discussions among parties during the hearing on appeal;

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

Monday, 19 July 2004:

Hearing of Additional Witness KV2:

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| 9:30 a.m. – 9:40 a.m. | Introductory Statement by the Presiding Judge (10 minutes) |
| 9:40 a.m. – 10:25 a.m. | Examination of Witness KV2 by the Appeals Chamber (45 minutes) |
| 10:25 a.m. – 11:10 a.m. | Examination of Witness KV2 by the Appellant Žigić (45 minutes) |
| 11:10 a.m. – 11:20 a.m. | Possible questioning of Witness KV2 by other Appellants (10 minutes) |
| 11:20 a.m. – 12:05 a.m. | Examination of Witness KV2 by the Prosecutor (45 minutes) |
| 12:05 a.m. – 12:15 p.m. | Further questioning from the Bench (10 minutes) |

Tuesday, 20 July 2004

Hearing of the first Witness in rebuttal

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| 9:30 a.m. – 9:35 a.m. | Introductory Statement by the Presiding Judge (5 minutes) |
| 9:35 a.m. – 10:20 a.m. | Examination of Witness KV3 by the Prosecutor (45 minutes) |
| 10:20 a.m. – 11:05a.m. | Cross-examination of Witness KV3 by the Appellant Žigić (45 minutes) |
| 11:05 a.m. – 11:15a.m. | Possible questioning of Witness KV3 by other Appellants (10 minutes) |
| 11:15 a.m. – 11:25 a.m. | Re-examination of Witness KV3 by the Prosecutor (10 minutes) |
| 11:25 a.m. – 11:40 a.m. | Questioning from the Bench (15 minutes) |

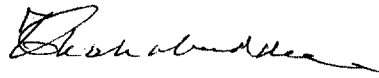
Wednesday, 21 July 2004

Hearing of the second Witness in rebuttal

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| 9:30 a.m. – 9:35 a.m. | Introductory Statement by the Presiding Judge (5 minutes) |
| 9:35 a.m. – 10:20 a.m. | Examination of Witness KV4 by the Prosecutor (45 minutes) |

10:20 a.m. – 11:05 a.m.	Cross-examination of Witness KV4 by the Appellant Žigić (45 minutes)
11:05 a.m. – 11:15 a.m.	Possible questioning of Witness KV4 by other Appellants (10 minutes)
11:15 a.m. – 11:25 a.m.	Re-examination of Witness KV4 by the Prosecutor (10 minutes)
11:25 a.m. – 11:40 a.m.	Questioning from the Bench (15 minutes)
<i>11:40 a.m. – 12:00 a.m.</i>	<i>Pause (20 minutes)</i>
12:00 a.m. – 12:30 p.m.	Conclusions on the merits by the Appellant Žigić (30 minutes)
12:30 p.m. – 13:00 p.m.	Response by the Prosecutor (30 minutes)
13:00 p.m. – 13.10 p.m.	Reply by the Appellant Žigić (10 minutes)
13:10 p.m. – 13.25 p.m.	Possible intervention by the other Appellants (15 minutes)

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



Mohamed Shahabuddeen
Presiding Judge

Dated this 14th day of July 2004,
At The Hague,
The Netherlands.

[Seal of the Tribunal]