



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-97-24-A
Date: 26 September 2005
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding Judge
Judge Fausto Pocar
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Andréia Vaz

Registrar: Mr. Hans Holthuis

Order of: 26 September 2005

THE PROSECUTOR

v.

MILOMIR STAKIĆ

SCHEDULING ORDER

Counsel for the Prosecution:
Mr. Mark McKeon

Counsel for the Defence:
Mr. Branko D. Lukić
Mr. John R. Ostojic

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,

NOTING the Judgement of the Trial Chamber in *Prosecutor v. Milomir Stakić*, IT-97-24-T, delivered on 31 July 2003;

NOTING the “Prosecution Appeal Brief” filed on 17 November 2003, the “Stakić Response to Prosecution Appeal Brief” filed on 30 December 2003 and the “Prosecution Brief in Reply” filed on 19 January 2004;

NOTING “Milomir Stakić’s Re-filed Appellant’s Brief in Support of his Notice of Appeal” filed confidentially on 8 March 2004, the “Prosecution’s Response Brief” filed confidentially on 8 April 2004 and “Milomir Stakić’s Brief in Reply” filed on 20 May 2004;

NOTING the “Confidential Decision on Stakić’s Rule 115 Motion to Admit Additional Evidence on Appeal” issued on 25 January 2005 (“Rule 115 Decision”) in which the Appeals Chamber, *inter alia*, ruled that certain Witness BT106’s statements to the Prosecution be admitted into evidence for the purpose of supporting Stakić’s appeal (“Admitted Statements”);¹

NOTING the “Prosecution’s Motion to Clarify Confidential Decision on Stakić’s Rule 115 Motion to Admit Additional Evidence on Appeal” filed confidentially by the Prosecution on 27 July 2005;

NOTING the Scheduling Order issued by the Appeals Chamber on 26 August 2005, informing the parties that the hearing of this case will take place on Tuesday, 4 October 2005 and Wednesday, 5 October 2005;

NOTING the “Order Concerning Witness BT106”, issued by the Appeals Chamber on 6 September 2005;

NOTING “Milomir Stakić’s Submission Relative to Witness BT106, Pursuant to the Appeals Chamber’s Order of 6 September 2005” filed partly confidentially by counsel for Stakić on 9 September 2005;

¹ Rule 115 Decision, para. 18.

NOTING the “Prosecution’s Response to Milomir Stakić’s Submission Relative to Witness BT106” filed by the Prosecution on 15 September 2005;

NOTING the “Decision to Summon a Witness *Proprio Motu*”, issued on 20 September 2005 in which the Appeals Chamber stated, *inter alia*, that “hearing Witness BT106 may help the Appeals Chamber to assess the reliability of the[his]statements, which concern core issues of this case”;²

HEREBY INFORMS Witness BT106 and the parties that his examination will be on the content and background of the Admitted Statements and that the schedule of the hearing will be as follows:

Tuesday, 4 October 2005:

Examination of Witness BT106:

9:00 a.m. – 9:15 a.m.	Introductory Statement by the Presiding Judge (15 minutes)
9:15 a.m. – 9:30 a.m.	Examination of Witness BT106 by the Appeals Chamber (15 minutes)
9:30 a.m. – 10:00 a.m.	Examination of Witness BT106 by the Prosecution (30 minutes)
10:00 a.m. – 10:30 a.m.	Examination of Witness BT106 by the Defence (30 minutes)
10:30 a.m. – 11:00 a.m.	<i>Pause (30 minutes)</i>

The Prosecution Appeal:

11:00 a.m. – 12:30 a.m.	Submissions of the Prosecution (1 hour and 30 minutes)
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Wednesday, 5 October 2005:

9:00 a.m. – 10:30 a.m.	Response of the Defence (1 hour and 30 minutes)
10:30 a.m. – 10:50 a.m.	Reply by the Prosecution (20 minutes)
10:50 a.m. – 11:20 a.m.	<i>Pause (30 minutes)</i>

The Defence Appeal:

11:20 a.m. – 12:50 a.m.	Submissions of the Defence (1 hour and 30 minutes)
12:50 a.m. – 2:20 p.m.	<i>Pause (1 hour and 30 minutes)</i>
2:20 p.m. – 3:20 p.m.	Continued submissions by the Defence (1 hour)
3:20 p.m. – 4:20 p.m.	Response by the Prosecution (1 hour)

Thursday, 6 October 2005

9:00 a.m. – 10:30 a.m.	Continued response by the Prosecution (1 hour and 30 minutes)
10:30 a.m. – 11:00 a.m.	Reply by the Defence (30 minutes)

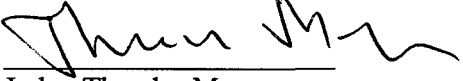
²*Prosecutor v. Milomir Stakić*, Case No. IT-97-24-A, “Decision to Summon Witness *Proprio Motu*”, 20 September 2005, p. 3.

11:00 a.m. – 11:15 a.m.

Brief Personal Address by Milomir Stakić (optional).

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

Dated this 26th day of September 2005,
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding Judge

[Seal of the International Tribunal]