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Tribunal Pénal  
International pour  
l'ex-Yougoslavie

## Press Release . Communiqué de presse

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**TRIAL CHAMBER**

**CHAMBRE DE  
1ERE INSTANCE**

The Hague, 10 February 2005  
JL/MOW/936c

### **TRIAL CHAMBER ISSUES ORDER ON THE ALLOCATION OF TIME IN THE MILOŠEVIĆ CASE**

Today, 10 February 2005, the Judges in the Milošević case issued an Order setting out in detail the time both the Prosecution and Mr. Milošević have been allocated to present their cases, and how much of that time, to date, has been used.

In the Order, the Judges recalled a previous Order, issued on 25 February 2004, in which they stated that “*the Accused should have the same time as the Prosecution had to present his (the Accused[’s]) case in chief*”, and set out the following calculation of time available to him:

- *The Prosecution spent approximately 360 hours presenting its case in chief, or approximately 90 sitting days, which will be the amount of time for the Accused to present his case in chief;*
- *However, to that is added two-thirds of that time for cross-examination of Defence witnesses and administrative matters, which amounts to approximately 240 hours, or 60 sitting days; and*
- *Therefore, the Accused shall have 150 sitting days in which to present his case, which shall be subject to adjustment depending on the time taken in cross-examination and administrative matters[.]*

In the Order issued today, the Judges took note of the fact that that “*the Accused has on numerous occasions complained that the Prosecution had 300 days in which to present its case and he is being unfairly apportioned half of that time for his case*”.

The Judges considered that:

- *The Prosecution case was presented over a period of 294 sitting days;*
- *Throughout that period, the Prosecution used 360 hours of time, or 90 sitting days of 4 hours, in presentation of its case in chief, excluding opening statements;*
- *The Accused, during the presentation of the Prosecution case in chief, used more time in cross-examination than the Prosecution used in presenting its case in chief, and considerably more than the Prosecution has been allocated to cross-examine during the course of the Defence case;*

Internet address: <http://www.un.org/icty>

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- *On a considerable number of days during the presentation of the Prosecution case, no evidence was heard, the proceedings being adjourned on account of the illness of the Accused;*
- *The Accused has been allocated exactly the same amount of time as the Prosecution (360 hours, or 90 sitting days of four hours) to present his case in chief;*
- *The Prosecution has been given considerably less time than the Accused to cross-examine, being two-thirds of the time allocated to the Accused to present his case, to include administrative matters (240 hours, or 60 sitting days of four hours).*

The Trial Chamber further considered that:

*“it is appropriate that the time used should be recorded and a statement thereof issued to the parties periodically”, and*

*“as at the conclusion of court on 24 January 2005, the following time had been used:*

- *Defence examination-in-chief and re-examination, excluding opening statement: 3465 minutes [57 hours 45 minutes, or 14.44 days];*
- *Prosecution in cross-examination: 2623 minutes [43 hours 43 minutes, or 10.93 days];*
- *Administrative matters: 682 minutes [11 hours 22 minutes, or 2.84 days].*

The Judges determined that: *“28.21 days of effective time has been used during the Defence case, including 57 hours and 45 minutes of the 360 hours allowed the Defence for presentation of its case-in-chief”, and,*

*“that the time taken together by the Prosecution and for administrative matters amounts to 79.38% of the time taken by the Accused in the presentation of his case, significantly more than two-thirds of the time taken by the Accused.”*

Finally, the Judges ordered that *“the parties are to file in writing, within seven days, any challenge they wish to make to the time recorded”* in the Order.

***The full text of the Order is available on the Tribunal’s website [www.un.org/icty](http://www.un.org/icty).  
Hard copies can also be obtained from the Media Office.***