

**UNITED  
NATIONS**



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-04-75-PT  
Date: 15 October 2012  
Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Guy Delvoie, Presiding  
Judge Burton Hall  
Judge Antoine Kesia-Mbe Mindua

**Registrar:** Mr. John Hocking

**Decision:** 15 October 2012

**PROSECUTOR**

v.

**GORAN HADŽIĆ**

**PUBLIC**

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**DECISION ON THE APPLICATION OF RULE 73 *bis***

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**The Office of the Prosecutor:**

Mr. Douglas Stringer

**Counsel for Goran Hadžić:**

Mr. Zoran Živanović

Mr. Christopher Gosnell

1. **THIS 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”) hereby issues this decision on the allocation of time to the Prosecution for its case-in-chief, pursuant to Rule 73 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”).

2. In its Rule 65 *ter* (E) filings, the Prosecution indicated that it would require 172.5 hours of hearing time for the oral presentation of its case-in-chief.<sup>1</sup> At the Pre-Trial Conference held on 15 October 2012, the Prosecution submitted that it would require 170 hours of hearing time for the oral presentation of its case-in-chief.<sup>2</sup> The Defence had no submissions on this issue.<sup>3</sup>

3. Rule 73 *bis* (C)(ii) of the Rules provides that a Trial Chamber, after having heard the Prosecution, shall determine the time available to the Prosecution for presenting evidence. In light of the information provided by the Prosecution, as well as the Trial Chamber’s own calculations, the Trial Chamber considers that the Prosecution should be allotted a total of 175 hours in which to present its case-in-chief, including the direct examination and re-examination, if any, of the witnesses it intends to call.

4. A system for monitoring the use of time shall be established by the Registry, which will be responsible for recording time used during the evidence of each witness: (a) by the Prosecution for its examination-in-chief; (b) by the Defence for cross-examination; (c) by the Prosecution for re-examination; (d) by the Judges of the Trial Chamber as a result of putting questions to the witnesses; and (e) for all other matters, including procedural and administrative matters. Regular reports on the use of time shall be compiled by the Registry in conjunction with the Trial Chamber, which shall be provided periodically to the parties. The Trial Chamber shall continually monitor the use of time by the parties and may make further orders, as it considers necessary.

5. Accordingly, the Trial Chamber, pursuant to Rules 54 and 73 *bis* of the Rules, hereby

(a) **DECIDES** that the Prosecution shall lead its evidence within a total time of 175 hours;

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<sup>1</sup> Prosecution Notice of Rule 65 *ter* (E) Filings, 20 June 2012, paras 4-5.

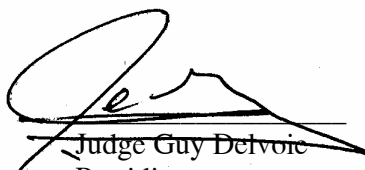
<sup>2</sup> Hearing, 15 October 2012.

<sup>3</sup> Hearing, 15 October 2012.

- (b) **DIRECTS** the Registry to establish and maintain a system for monitoring and recording time used during the evidence of each witness in this case in accordance with the provisions of paragraph 4 of this decision.

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

Done this fifteenth day of October 2012,  
At The Hague,  
The Netherlands.



Judge Guy Delvoic  
Presiding

[Seal of the Tribunal]