

**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-T  
Date: 28 November 2013  
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

**Order:** 28 November 2013

**PROSECUTOR**

v.

**GORAN HADŽIĆ**

**PUBLIC**

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**SCHEDULING ORDER FOR RULE 98 *bis* PROCEEDINGS**

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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 scheduling order in relation to the forthcoming Rule 98 *bis* proceedings in the present case.

2. The Trial Chamber recalls that the Prosecution closed its case-in-chief on 17 October 2013, subject to the Chamber’s decision on the Prosecution’s motion for the admission of documents from the bar table.<sup>1</sup> On 28 November 2013, the Chamber issued its decision on the Prosecution’s bar table motion.<sup>2</sup> The Trial Chamber therefore finds it appropriate to notify the parties of the scheduling arrangements for the forthcoming proceedings pursuant to Rule 98 *bis* of the Rules of Procedure and Evidence of the Tribunal.<sup>3</sup>

3. Rule 98 *bis*, entitled “Judgement of Acquittal”, provides that “[a]t the close of the Prosecutor’s case, the Trial Chamber shall, by oral decision and after hearing the oral submissions of the parties, enter a judgement of acquittal on any count if there is no evidence capable of supporting a conviction.” The Trial Chamber reminds the Defence that, during the Rule 98 *bis* proceedings, it is expected to present specific challenges and provide specific arguments as to the basis for these challenges. In turn, the Prosecution is expected to present any response in a detailed and precise manner by reference to specific documents or witness testimony. No written submissions will be accepted by the Chamber.<sup>4</sup>

4. Accordingly, the Trial Chamber hereby **ORDERS** as follows:

- (a) The Defence shall present its oral submissions pursuant to Rule 98 *bis* on Monday, 16 December 2013 and shall have one regular sitting day in which to do so.

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<sup>1</sup> Order on Close of Prosecution Case-in-Chief, Rule 98 *bis* Proceedings, and Preparation and Commencement of Defence Case, 18 July 2013 (“18 July Order”), para. 12(a).

<sup>2</sup> Decision on Prosecution Bar Table Motion, 28 November 2013.

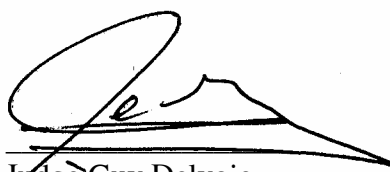
<sup>3</sup> The Chamber had initially ordered the Defence to present its Rule 98 *bis* submissions seven days after the close of the Prosecution case, but the exigencies of the Tribunal’s court calendar make it more appropriate for the Rule 98 *bis* proceedings to be held during the week of 16 December 2013.

<sup>4</sup> 18 July Order, paras 7-8.

(b) The Prosecution may present oral submissions in response on Wednesday, 18 December 2013 and shall have one regular sitting day in which to do so.

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

Done this twenty-eighth day of November 2013,  
At The Hague,  
The Netherlands.



Judge Guy Delvoie  
Presiding

**[Seal of the Tribunal]**