



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-95-16-A
Date: 18 June 2001
Original: English

BEFORE THE APPEALS CHAMBER

Before: Judge Patricia Wald, Presiding
Judge Lal Chand Vohrah
Judge Rafael Nieto-Navia
Judge Fausto Pocar
Judge Liu Daqun

Registrar: Mr. Hans Holthuis

Decision of: 18 June 2001

PROSECUTOR

v.

**ZORAN KUPREŠKIĆ
MIRJAN KUPREŠKIĆ
VLATKO KUPREŠKIĆ
DRAGO JOSIPOVIĆ
VLADIMIR ŠANTIĆ**

**DECISION ON MOTIONS BY ZORAN KUPREŠKIĆ, MIRJAN KUPREŠKIĆ AND
VLADIMIR ŠANTIĆ FOR LEAVE TO APPEAL THE DECISION OF THE APPEALS
CHAMBER DATED 29 MAY 2001**

Counsel for the Prosecutor:

Mr. Upawansa Yapa

Counsel for the Defence:

**Mr. Ranko Radović, Mr. Tomislav Pasarić for Zoran Kupreškić
Ms. Jadranka Sloković-Glumac, Ms. Desanka Vranjican for Mirjan Kupreškić
Mr. Anthony Abell, Mr. John Livingston for Vlatko Kupreškić
Mr. William Clegg Q.C., Ms. Goranka Herljević for Drago Josipović
Mr. Petar Pavković, Mr. Mirko Vrdoljak for Vladimir Šantić**

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 (“ the International Tribunal”),

NOTING the “Motion of the Appellant Vladimir Šantić for Leave to Appeal Against the Appeals Chamber’s Decision on Motions to Admit Materijal [sic] Relating to Witness AT into Evidence Pursuant to Rule 115 and to Call Additional Witnesses dated 29 May 2001” filed confidentially by Vladimir Šantić on 30 May 2001, the “Motion of Zoran and Mirjan Kupreškić for Leave to Appeal Against the Decision from 29 May 2001 According to the Rule 73(D)(i) and Appeal Against the Decision from 29 May 2001” filed confidentially by Zoran and Mirjan Kupreškić on 5 June 2001 and the “Motion of Vladimir Šantić for Leave to Appeal Against the Decision from 29 May 2001 According to the Rule 73D(i) and Appellant Motion dated 30 May 2001” filed confidentially by Vladimir Šantić on 7 June 2001 (together “the Motions for Leave to Appeal”);

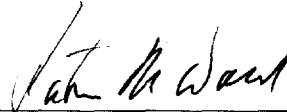
NOTING the “Decision on Motions to Admit Material Relating to Witness AT into Evidence Pursuant to Rule 115 and to Call Additional Witnesses” issued confidentially by the Appeals Chamber on 29 May 2001;

CONSIDERING that there is no provision of the Statute of the International Tribunal or the Rules of Procedure and Evidence (“the Rules”) that allows for appeals from decisions of the Appeals Chamber pursuant to Rule 115 of the Rules;

CONSIDERING that the Motions for Leave to Appeal are manifestly ill-founded, an abuse of the court process and frivolous;

HEREBY DISMISSES the Motions for Leave to Appeal and **REQUESTS** the Registrar to consider withholding payment of any fees or costs involved in the preparation of these motions.

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



Patricia Wald
Presiding Judge

Dated this eighteenth day of June 2001
At The Hague,
The Netherlands.

[Seal of the Tribunal]