



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-98-29-PT
Date: 19 October 2001
Original: English

IN THE TRIAL CHAMBER

Before: Judge Almiro Rodrigues, Presiding
Judge Fouad Riad
Judge Patricia Wald

Registrar: Mr. Hans Holthuis

Order of: 19 October 2001

PROSECUTOR

v

STANISLAV GALIĆ

**ORDER ON THE DEFENCE MOTION FOR EXTENSION OF TIME LIMIT
FOR FILING THE FINAL PRE-TRIAL BRIEF OF THE DEFENCE**

Office of the Prosecutor:

Mr. Mark Ierace

Counsel for the Defence:

Ms. Mara Pilipović

THE 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 (the “Tribunal”) seized of the case *Prosecutor v/Stanislav Galić* (the “Chamber”);

BEING SEIZED of the Defence’s “Motion for Extension of Time Limit for Filing the Final Pre-Trial Brief of the Defence” (the “Motion”) dated 18 October 2001, in which the Defence requests that the pre-trial Judge determine a “new time limit for the Defence to file its final pre-trial brief” and that the final pre-trial conference be “scheduled at least three weeks after” the date set for the filing of the Defence pre-trial brief;

NOTING the Chamber’s Scheduling Order dated 5 October 2001 (the “Order”), which set the date of 23 October for the filing of the Defence pre-trial brief and that of 8 November for the pre-trial conference;

NOTING the Chamber’s Decision on the Prosecutor’s Request for Authorisation to Exceed length limit for Pre-Trial Briefs, dated 16 October 2001 (the “Decision”);

CONSIDERING that the Defence argues that since it has not received the final version of the Prosecution’s pre-trial brief, nor the Prosecution’s lists of witnesses and exhibits in this case, it is not in a position to finalise its own brief and should be granted an extension of time;

CONSIDERING that, pursuant to the Decision, the Prosecution is not expected to amend its pre-trial brief (which the Defence acknowledges it has received) but merely to shorten it; that, in any case, as mentioned in the Order, the Prosecution filed a provisional pre-trial brief as early as 20 February 2001; that the Defence thus had sufficient time to prepare;

CONSIDERING further that, since the Prosecution and the Defence have engaged into reciprocal discovery, the Defence cannot reasonably claim it needs to have the Prosecution list of exhibits to elaborate on its brief;

CONSIDERING however that the Prosecution has not yet filed the list of witnesses it was meant to file at the same time as its pre-trial brief; that this circumstance may justify that a limited amount of time be granted to the Defence to finalise its pre-trial brief;

CONSIDERING that, as mentioned in the Order, the time limit set forth in Rule 65 *ter* (F) of the Rules of Procedure and Evidence of the Tribunal (the “Rules”) is less in the interest of the parties than in that of the court;

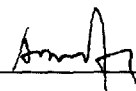
PURSUANT to Rule 54 and 65 *ter* of the Rules,

FOR THE FOREGOING REASONS,

ORDERS that the Scheduling Order of 5 October be partially vacated in that the date for the filing of the Defence pre-trial brief is now set on 30 October 2001 at the latest.

CONFIRMS the date of 8 November 2001 for the final pre-trial conference.

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



Almiro Rodrigues
Presiding Judge

Done this 19 October 2001
At The Hague,
The Netherlands.

[Seal of the Tribunal]