

IT-01-42-AR72  
A50-A48  
31 July 2002

50<sup>AT</sup>

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: IT-01-42-AR72

Date: 31 July 2002

Original: English

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**IN THE APPEALS CHAMBER OF THE INTERNATIONAL TRIBUNAL**

**Before:** Judge Fausto Pocar, Presiding  
Judge Mohamed Shahabuddeen  
Judge David Hunt  
Judge Asoka de Z. Gunawardana  
Judge Theodor Meron

**Registrar:** Mr. Hans Holthuis

**Decision of:** 31 July 2002

**PROSECUTOR**  
v.  
**PAVLE STRUGAR**  
**MIODRAG JOKIĆ**  
**& OTHERS**

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**DECISION ON "DEFENCE MOTION FOR THE EXTENSION OF TIME"**

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**Counsel for the Prosecutor:**

Ms. Susan L. Somers

Ms. Susan R. Lamb

**Counsel for the Defence of Pavle Strugar:**

Mr. Goran Rodić

Mr. Vladimir Petrović

**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 “Defence Interlocutory Appeal on Jurisdiction” filed by counsel for Pavle Strugar (“the Applicant”) on 21 June 2002, against the “Decision on the Defence Preliminary Motion Challenging Jurisdiction” rendered by Trial Chamber I on 7 June 2002, in which the Trial Chamber rejected the Applicant’s “Defence Preliminary Motion” filed on 18 January 2002;

**NOTING** the “Decision on ‘Defence Interlocutory Appeal on Jurisdiction’” rendered by a Bench of the Appeals Chamber on 24 July 2002, which authorised the Applicant to pursue an interlocutory appeal in relation to his first ground of appeal;

**BEING SEISED** of the “Defence Motion for the Extension of Time” (“the Request”) filed by the Applicant on 29 July 2002, by which he seeks leave to file his written submissions for the interlocutory appeal on jurisdiction by 30 August 2002, on the ground that: (i) the issues raised by the appeal are highly complicated and require the extensive contribution of the Defence legal assistant, an expert in international law; and (ii) the Defence legal assistant is unavailable for the Defence due to his work as an expert for the Government of Montenegro in FRY Constitutional Commission up to mid-August 2002;

**NOTING** that the Office of Prosecutor stated orally that it would not object to the Request;

**NOTING** that Rule 127 of the Rules of Procedure and Evidence of the International Tribunal (“the Rules”) provides that “on good cause being shown by motion” the Appeals Chamber may “enlarge or reduce any time prescribed by or under these Rules”;

**CONSIDERING** that the Applicant seeks an extension of time of 25 days, which would substantially delay the work of the Appeals Chamber and therefore appears too long;

**FINDING** that good cause exists for granting the Applicant a limited extension of time for the filing of his written submissions;

**PURSUANT TO** Rule 127 of the Rules,

**HEREBY GRANTS** the Request and **ORDERS** that the Appellant's written submissions for the interlocutory appeal on jurisdiction be filed on or before 12 August 2002.

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



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Fausto Pocar  
Presiding Judge

Dated this 31<sup>st</sup> day of July 2002,  
At The Hague,  
The Netherlands.

**[Seal of the Tribunal]**