



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-98-34-T
Date: 10 September 2002
Original: English

BEFORE TRIAL CHAMBER I SECTION A

Before: Judge Liu Daqun, Presiding
Judge Maureen Harding Clark
Judge Fatoumata Diarra

Registrar: Mr. Hans Holthuis

Decision of: 10 September 2002

PROSECUTOR

v.

**MLADEN NALETILIĆ aka "TUTA"
and
VINKO MARTINOVIĆ aka "ŠTELA"**

**ORDER ON THE ACCUSED NALETILIĆ'S MOTION FOR THE TRIAL CHAMBER
TO OTHERWISE DIRECT THE TIME FOR FILING OF FINAL BRIEFS**

The Office of the Prosecutor:

Mr. Kenneth Scott

Counsel for the Accused:

**Mr. Krešimir Krsnik, for Mladen Naletilić
Mr. Branko Šerić, for Vinko Martinović**

TRIAL CHAMBER I, SECTION A (“the 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”);

BEING SEISED OF the “Accused Naletilić’s Motion for the Trial Chamber to Otherwise Direct the Time for Filing of Final Briefs” filed on 3 September 2002 (“the Motion”), whereby the Naletilić Defence requests that the Chamber revisit its order for the filing of the final briefs and that it “be allowed thirty (30) days after the final witness in rejoinder to file its final brief and seven (7) days after the Prosecution has filed its final brief”;¹

NOTING the “Scheduling Order”, dated 29 August 2002 (“the Order”), whereby the Chamber ordered that the parties “will file their final briefs no later than 23 October 2002, and will present their closing arguments from 28 until 30 October 2002”;²

NOTING the oral arguments of the parties on the matter during the hearing held on 3 September 2002 (“the Hearing”);

NOTING that during the Hearing, the Martinović Defence indicated that “it was the practice of this Court that both parties did not have to submit their closing briefs at the same time”;³

CONSIDERING that it is the consistent practice of this Tribunal that final briefs be filed simultaneous by all the parties to the proceedings;⁴ that the Chamber finds no reason to depart from this practice;

CONSIDERING that the Chamber has granted a recess from the conclusion of the Martinović Defence case until 4 October 2002, in order to allow the parties to prepare their rebuttal and rejoinder, if any, as well as their final trial briefs;

¹ The Motion, at p. 3.

² The Order, at p. 3.

³ T. 15003.

⁴ See, for example, *The Prosecutor v. Krstić*, Case No. IT-98-33-T, Prosecutor’s Final Trial Brief, 21 June 2001; Final Submission of the Accused, 21 June 2001; See also, *The Prosecutor v. Kordić and Čerkez*, Case No. IT-95-14/2-T, Prosecutor’s Closing Brief, 13 December 2000; Dario Kordić’s Final Trial Brief, 13 December 2000; Mario Čerkez Final Trial Brief, 13 December 2000.

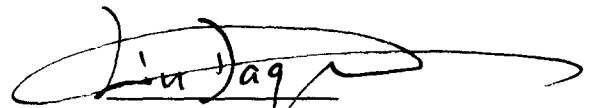
PURSUANT to Rule 54 of the Rules of procedure and evidence,

HEREBY DENIES the Motion;

CONFIRMS that the final briefs for both parties should be filed no later than 23 October 2002.

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

Dated this tenth day of September 2002,
At The Hague,
The Netherlands



Judge Liu Daqun
Presiding Judge

[Seal of the Tribunal]