



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-99-37-PT  
Date: 27 February 2003  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Richard May, Presiding  
Judge Patrick Robinson  
Judge O-Gon Kwon

**Registrar:** Mr. Hans Holthuis

**Decision of:** 27 February 2003

**PROSECUTOR**

v.

**MILAN MILUTINOVIĆ  
DRAGOLJUB OJDANIĆ  
NIKOLA ŠAINOVIĆ**

**ORDER ON ŠAINOVIĆ DEFENCE REQUEST TO FILE A REPLY**

**The Office of the Prosecutor**

Ms. Carla Del Ponte  
Mr. Geoffrey Nice  
Ms. Cristina Romano

**Counsel for the Accused**

Mr. John Livingston, for Milan Milutinović  
Mr. Tomislav Višnjić and Mr. Peter Robinson, for Dragoljub Ojdanić  
Mr. Toma Fila and Mr. Vladimir Petrović, for Nikola Šainović

**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 (“International Tribunal”),

**BEING SEISED OF** a “Defence Request for Leave to File a Reply to Prosecution’s Confidential Response to Šainović’s Second Application for Provisional Release”, filed on 25 February 2003 (“Request”), in which the Šainović Defence requests leave to file a Reply to the Prosecution’s Response to its confidential second application for provisional release,

**NOTING** that the Request must be determined by reference to Rule 126 *bis* of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), which states as follows:

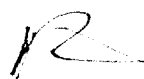
Unless otherwise ordered by a Chamber either generally or in the particular case, a response, if any, to a motion filed by a party shall be filed within fourteen days of the filing of the motion. A reply to the response, if any, shall be filed within seven days of the filing of the response, with the leave of the relevant Chamber.

**CONSIDERING** the assertion of the Šainović Defence that such a Reply would clarify certain matters that would contribute to determination of the matter,

**PURSUANT TO** Rule 126 *bis* of the Rules

**HEREBY GRANTS THE REQUEST** and **ORDERS** the Šainović Defence to file its Reply within seven days.

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

  
\_\_\_\_\_  
Patrick Robinson  
Judge

Dated this twenty-seventh day of February 2003  
At The Hague  
The Netherlands

[Seal of the Tribunal]