

UNITED
NATIONS

IT-95-13/1-PT
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15 April 2003

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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-95-13/1-PT
Date: 15 April 2003
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 15 April 2003

PROSECUTOR

v.

MILE MRKŠIĆ

**DECISION ON DEFENCE REQUEST FOR LEAVE TO FILE A
REPLY**

The Office of the Prosecutor:

Mr. Jan Wubben
Mr. Mark J. McKeon

Counsel for the Accused:

Mr. Miroslav Vasić

I, Carmel Agius, Judge 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 (“Tribunal”) and Pre-Trial Judge in these proceedings:

BEING SEISED OF the “Defence Motion Requesting Leave to Reply to the “Prosecution’s Opposition to Defence Motion Requesting the Determination of Rules of Communication With Potential Witnesses of the Opposite Party”” (“Request to Reply”), filed on 14 April 2003 by counsel for Mile Mrkšić (“Defence”);

NOTING the “Defence Motion Requesting the Determination of Rules of Communicating With Potential Witnesses of the Opposite Party” and Confidential Annex thereto (“Motion”), filed on 31 March 2003, in which the Defence requests the Pre-Trial Judge to, *inter alia*, determine the manner in which the parties may contact potential witnesses;

NOTING the “Prosecution’s Opposition to Defence Motion Requesting the Determination of Rules of Communication With Potential Witnesses of the Opposite Party” and Confidential Annexes A, B, C and D thereto (“Response”), filed by the Office of the Prosecutor (“Prosecution”) on 11 April 2003;

CONSIDERING that in the Request to Reply the Defence seeks leave to respond to certain issues raised by the Prosecution in its Response;

FOR THE FOREGOING REASONS

PURSUANT TO Rules 54 and 126 *bis* of the Rules of Procedure and Evidence;

HEREBY ORDERS as follows:

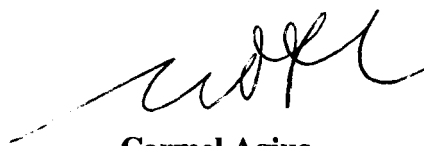
- (1) The Defence is granted leave to file a reply to the Response by 18 April 2003;
- (2) The Defence shall restrict the reply to new issues raised in the Response and shall not repeat arguments already advanced.

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

Dated this fifteenth day of April 2003,

At The Hague,

The Netherlands



Carmel Agius

Pre-Trial Judge

[Seal of the Tribunal]