



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-95-16-R.2
Date: 13 June 2003
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Mohamed Shahabuddeen
Judge Mehmet Güney

Registrar: Mr. Hans Holthuis

Order of: 13 June 2003

PROSECUTOR

v.

DRAGO JOSIPOVIĆ

DECISION ON REQUEST FOR EXTENSION OF TIME

Counsel for the Prosecutor:

Mr. Norman Farrell
Mr. Christopher Staker

Counsel for Drago Josipović:

Mr. Ranko Radović
Mr. Tomislav Pasarić

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 (“International Tribunal”),

NOTING the “Decision on Motion for Review” issued by the Appeals Chamber on 7 March 2003;

NOTING that by its order entitled “Order on Prosecution’s Motion to Expunge Documents from the Record” filed on 7 April 2003 (“Order”), the Appeals Chamber requested (i) the Office of the Prosecutor (“Prosecution”) to file a notice indicating to counsel for Drago Josipović (“Defence”) which portions of the motion for review¹ and the reply² (together “Documents”) should be redacted to ensure confidentiality (“Notice”) and (ii) the Defence to file the public version of the Documents no later than five days from the filing of the Notice;

NOTING the “Prosecution’s Response to Order on Prosecution’s Motion to Expunge Documents from the Record” filed confidentially by the Prosecution on 11 April 2003;

BEING SEISED OF the “Request for the Counsel of Drago Josipović for the prolongation of the time limit” filed by the Defence on 30 May 2003 (“Request”);

CONSIDERING that in the Request, the Defence (i) seeks a 15-day enlargement of the time set out in the Order for the filing of the public version of the Documents on the ground that “counsel has to translate the Act of the Prosecutor into croatian, then make the Act according to the remarks of the prosecutor, then the act should be translated into English” and (ii) claims that it could not comply earlier with the Decision because it received the Notice only on 25 May 2003;

CONSIDERING that the first reason adduced by the Defence does not constitute good cause for the granting of an extension of time under Rule 127 of the Rules because the Defence has used English as its working language in this case and therefore it must be able to work directly in English without having to translate the Notice into Croatian;

CONSIDERING, however, that considerations of public convenience constitute good cause under Rule 127(A) of the Rules for granting an extension of time and that the Defence is correct in noting that it received the Notice only on 25 May 2003 and not on the filing date;

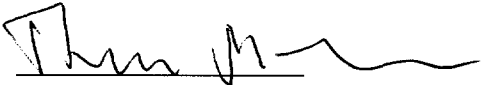
¹ *Prosecutor v. Drago Josipović*, Case No.: IT-95-16-R.2, “Request for Review of the Counsel of the Convicted Drago Josipović”, 30 July 2002.

² *Prosecutor v. Drago Josipović*, Case No.: IT-95-16-R.2, “Motion of the Counsel with which he answers to the Prosecution’s response to the Counsel’s request for the revision of the case”, 19 September 2002.

HEREBY GRANTS the Request and **ORDERS** the Defence to file the public version of the Documents no later than Monday, 16 June 2003.

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

Done this 13th of June 2003,
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding

[Seal of the Tribunal]