



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.3
Date: 3 November 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

Decision of: 3 November 2003

PROSECUTOR

v.

DRAGO JOSIPOVIĆ

DECISION ON REQUEST FOR EXTENSION OF TIME

Counsel for the Prosecutor:
Mr. Norman Farrell

Counsel for Drago Josipović:
Mr. Ranko Radović

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”),

BEING SEISED OF the “Request of the Counsel for Extension(sic) of Time-Limit” filed by counsel for Drago Josipović (“Defence”) on 20 October 2003 (“Request”);

NOTING the “Proposal of the Counsel of Drago Josipović for the Revision of the Case” filed confidentially on 11 September 2003 pursuant to Rule 119 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”);

NOTING the “Prosecution’s Response to the Proposal of the Counsel of Drago Josipović for the Revision of the Case and Prosecution’s Request for an Extension of Page Limit” filed confidentially on 17 October 2003” (“Response”);

NOTING that on 30 October 2003 the Prosecution orally informed the senior legal officer of the Appeals Chamber that it would not oppose the Request;

CONSIDERING that in the Request the Defence seeks a 15-day extension of time to submit a reply to the Response on the grounds that “the counsel does not speak English, therefore...he must wait for the translations. Also, he must have his answer be translated into english...” and that “For the translations, for the studying of the text of the prosecutor and for the composition of the answer, one needs at least 30 days”;

CONSIDERING that the inability to work in English is not a good cause for the granting of an extension of time under Rule 127 of the Rules because the Defence has chosen English as its working language in the proceedings before the International Tribunal and therefore it must be able to work directly in English without having a translation of the Response into BCS;

CONSIDERING, however, the length and complexity of the Response and the fact that the Prosecution does not oppose the Request;

FINDING that there is good cause for granting a limited extension of time pursuant to Rule 127 of the Rules;

CONSIDERING that pursuant to Rule 119(C) of the Rules the reply would be due on Monday 3 November 2003;

HEREBY GRANTS in part the Request and **ORDERS** the Defence to file the reply no later than Monday, 10 November 2003.

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

Dated this 3rd day of November 2003
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding

[Seal of the Tribunal]