



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-01-47-T
Date: 6 September 2004
Original: English
French

IN TRIAL CHAMBER II

Before: Judge Jean-Claude Antonetti
Judge Vonimbolana Rasoazanany
Judge Bert Swart

Registrar: Mr Hans Holthuis

Decision of: 6 September 2004

THE PROSECUTOR

v.

**ENVER HADŽIHASANOVIĆ
AMIR KUBURA**

**DECISION ON MOTION FOR LEAVE
TO EXCEED PAGE LIMIT TO FILE A REPLY**

The Office of the Prosecutor:

Mr Daryl Mundis
Ms Tecla Henry-Benjamin

Defence Counsel:

Ms Edina Rešidović and Mr Stéphane Bourgon for Enver Hadžihasanović
Mr Fahrudin Ibrišimović and Mr Rodney Dixon for Amir Kubura

TRIAL CHAMBER II (“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 (“Tribunal”),

BEING SEISED of the “Motion for Leave to Exceed Page Limit to File a Reply” filed by the Defence Counsel of the Accused Enver Hadžihasanović (“Defense”) on 2 September 2004 (“Motion”), in which the Defence seeks leave of the Chamber to file a Reply not exceeding 20 pages,

NOTING “Hadžihasanovic’s Motion for Acquittal” filed by the Defence on 11 August 2004 (“Motion for Acquittal”),

NOTING the “Response of the Prosecution to the Motions for Acquittal” filed confidentially by the Prosecution on 1 September 2004 (“Response”),

NOTING that the Office of the Prosecutor (“Prosecution”) indicated orally to the Chamber that it did not intend to respond to the Motion,

CONSIDERING that Rule 126 *bis* of the Rules of Procedure and Evidence (“Rules”) provides a Chamber leave to authorize a party to reply to a submission,

CONSIDERING that pursuant to this Rule the Chamber authorized the Defence to reply to the Response on 12 July 2004,

CONSIDERING that according to the provisions of paragraph 5 of Section C) of the Practice Direction on the Length of Briefs and Motions, 5 March 2002, a Reply will not exceed 10 pages or 3,000 words,

CONSIDERING that, in spite of the arguments presented in the Motion, it is not suitable to waive paragraph 5 of Section C) of the Practice Direction on the Length of Briefs and Motions, 5 March 2002, in the present case,

FOR THE FOREGOING REASONS

PURSUANT to Rule 54 of the Rules,

DISMISSES the Motion.

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

Done this sixth day of September 2004

At The Hague

The Netherlands

/signed/

Judge Jean-Claude Antonetti
Presiding

[Seal of the Tribunal]