



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-03-73-PT  
Date: 26 May 2005  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Kevin Parker, Pre-Trial Judge  
**Registrar:** Mr. Hans Holthuis  
**Decision:** 26 May 2005

**PROSECUTOR**

v.

**IVAN ČERMAK  
MLADEN MARKAČ**

**DECISION ON PROSECUTION'S MOTION FOR LEAVE TO REPLY  
TO IVAN ČERMAK AND MLADEN MARKAČ'S OPPOSITION TO  
PROSECUTION'S MOTION TO AMEND THE INDICTMENT**

**The Office of the Prosecutor:**

Mr. Kenneth Scott  
Ms. Laurie Sartorio

**Counsel for the Accused:**

Mr. Čedo Prodanović and Ms. Jadranka Sloković for Ivan Čermak  
Mr. Miroslav Šeparović and Mr. Goran Mikuličić for Mladen Markač

I, Judge Kevin Parker, the pre-trial Judge in this matter;

**NOTING** the “Prosecution’s Motion to Amend the Indictment”, filed on 6 May 2005, whereby the Prosecution seeks authorisation to amend the Indictment in the present case pursuant to Rule 50 of the Rules of Procedure and Evidence (“Rules”);

**NOTING** “Ivan Čermak’s and Mladen Markač’s Opposition to Prosecution’s Motion to Amend the Indictment”, filed on 20 May 2005, whereby the Defence for both Accused jointly object to the Prosecution’s Motion for leave to Amend the Indictment on various grounds (“Defence Response”);

**BEING SEIZED** of the “Prosecution’s Motion for Leave to Reply to Ivan Čermak’s and Mladen Markač’s Opposition to Prosecution’s Motion to Amend the Indictment”, filed on 25 May 2005, whereby the Prosecution seeks leave to reply to the Defence Response;

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

**HEREBY GRANT** the Motion and **ORDER** that the Prosecution’s reply shall be filed by Thursday 2 June 2005.

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

Dated this twenty-sixth day of May 2005  
At The Hague  
The Netherlands



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Judge Kevin Parker  
Pre-Trial Judge

[Seal of the Tribunal]