



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-02-57-AR65.1

Date: 19 August 2005

Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Theodor Meron, Presiding  
Judge Florence Mumba  
Judge Mehmet Güney  
Judge Wolfgang Schomburg  
Judge Andréia Vaz

**Registrar:** Mr. Hans Holthuis

**Decision of:** 19 August 2005

**THE PROSECUTOR**

v.

**Vujadin POPOVIĆ**

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**DECISION ON DEFENCE MOTION FOR EXTENSION OF TIME**

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**Office of the Prosecutor**

Mr. Peter McCloskey

**Counsel for the Accused:**

Mr. Zoran Živanović

**THIS BENCH** of 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 “Vujadin Popović Application for Leave to Appeal Against the Decision on Provisional Release” filed by Vujadin Popović (“Appellant”) on 27 July 2005 against the “Decision on Motion for Provisional Release” rendered by Trial Chamber III on 22 July 2005 (“Impugned Decision”);

**NOTING** the “Order Assigning Judges to a Case Before the Appeals Chamber” issued on 15 August 2005 (“Order”);

**BEING SEISED** of the “Defence’s Request for an Extension of Time” filed by the Appellant on 17 August 2005 (“Motion for Extension of Time”) in which he seeks an extension of time for the filing of his appeal pursuant to Rule 65 of the Rules of Procedure and Evidence (“Rules”) until 24 August 2005;

**NOTING** that no response to the Motion for Extension of Time was filed by the Prosecution;

**CONSIDERING** that pursuant to the Order, the appeal should be filed seven days from the issuing of the Order, namely, on 22 August 2005;

**NOTING** that the Impugned Decision states that, the Appellant had failed to explain why he needed to obtain guarantees for his security and that of his family before he could surrender after the indictment against him was made public in October 2002, and he failed to explain the nature of those guarantees, as well as the circumstance in which he had difficulty obtaining them<sup>1</sup>;

**CONSIDERING** that the Motion for Extension of Time relies on the ground that during his visit to The Hague from August 22 until August 24 Counsel for the Appellant will prepare a Declaration which the Appellant intends to append as an annex to his appeal, “explaining his whereabouts up to his voluntary surrender on 14 April 2005”<sup>2</sup> and “[clarifying] the nature of necessary guarantees that the [Appellant] had to obtain for him and his family”<sup>3</sup>;

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<sup>1</sup> Impugned Decision, para. 4.

<sup>2</sup> Motion for Extension of Time, page 1.

<sup>3</sup> *Ibid.*

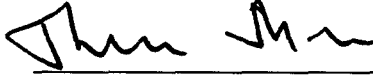
**CONSIDERING** that the purpose of the appeal is to demonstrate error in the exercise of the discretion by the Trial Chamber in the Impugned Decision, and that the Motion for Extension of Time fails to explain why the time required for the preparation of the Declaration that the Appellant wants to append to his appeal will prevent his counsel from crafting the grounds on which the appeal is made;

**FINDING** that there is no good cause under Rule 127(B) of the Rules for granting an extension of time for the filing of the appeal;

**HEREBY DENIES** the Motion for extension of Time.

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

Done this nineteenth day of August 2005,  
At The Hague,  
The Netherlands.

  
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Judge Theodor Meron  
Presiding

[Seal of the Tribunal]