



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-95-11-PT
IT-03-69-PT
IT-03-67-PT
Date: 22 August 2005
Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Carmel Agius
Judge Daqun Liu

Registrar: Mr. Hans Holthuis

Order of: 22 August 2005

THE PROSECUTOR v. MILAN MARTIĆ

**THE PROSECUTOR v. JOVICA STANIŠIĆ AND FRANKO
SIMATOVIĆ**

THE PROSECUTOR v. VOJISLAV ŠEŠELJ

**DECISION ON MOTION FOR EXTENSION OF TIME
(Submission No. 100)**

The Office of the Prosecutor:

Ms. Carla Del Ponte
Ms. Hildegard Uertz-Retzlaff
Mr. David Re

Counsel for the Accused:

Mr. Predrag Milošančević and Mr. Vuk Sekulić, Counsel for the Accused Milan Martić
Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash, Counsel for the Accused Jovica Stanišić
Mr. Zoran Jovanovic, Counsel for the Accused Franko Simatović

The Accused:

Mr. Vojislav Šešelj

Standby Counsel:

Mr. Tjarda Eduard van der Spoel, Standby Counsel in the Case Against the Accused Vojislav Šešelj



TRIAL CHAMBER III (“Trial 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 SEIZED OF “Submission No 100” filed on 3 August 2005 by Vojislav Šešelj, whereby he requests an extension of “the deadline for submission of a response for 14 days after the end on the ban on telephone communication”;

NOTING that on 4 July 2005 and 7 July 2005 the President of the Tribunal issued orders regarding the special composition of Trial Chamber III for the purpose of determining the Prosecution Motions for Joinder of the cases of the Prosecutor v. Milan Martić, the Prosecutor v. Jovica Stanišić and Franko Simatović and the Prosecutor v. Vojislav Šešelj;¹

NOTING that on 30 May 2005 and 1 June 2005 the Prosecution filed a motion for the joinder of these three cases (“Motion for Joinder”). The Motion was filed with respect to the cases of the Prosecutor v. Milan Martić and the Prosecutor v. Jovica Stanišić and Franko Simatović;²

NOTING that in the case of the Prosecutor v. Vojislav Šešelj motions submitted to the Registry have not been considered to be officially filed unless accompanied by an official translation into either English or BCS, as appropriate;

NOTING that on 19 July 2005 the Prosecution Motion for Joinder, accompanied by an official translation of the Motion for Joinder into the BCS language, was filed with respect to the case of the Prosecutor v. Vojislav Šešelj;³

NOTING that on 13 June 2005 the Defence Counsel of the Accused Milan Martić filed a response to the Prosecution Motion for Joinder;⁴

NOTING that on 29 June 2005 the Defence Counsel of the Accused Jovica Stanišić and the Defence Counsel of the Accused Franko Simatović filed responses to the Prosecution Motion for Joinder;⁵

¹ *Prosecutor v. Milan Martić*, Case No. IT-95-11-PT, “Order Reassigning a Case to a Trial Chamber and Referring the Joinder Motion”, 4 July 2005, *Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-PT, “Order Reassigning a Case and Referring the Joinder Motion”, 4 July 2005 and *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. IT-03-69-PT, “Order Referring the Joinder Motion”, 7 July 2005.

² *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. IT-03-69-PT, “Prosecution Motion for Joinder Partly Confidential”, 1 June 2005 and *Prosecutor v. Milan Martić*, Case No. IT-95-11-PT, “Prosecution Motion for Joinder”, 30 May 2005.

³ *Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-PT, “Prosecution Motion for Joinder Partly Confidential”, 19 July 2005.

⁴ *Prosecutor v. Milan Martić*, Case No. IT-95-11-PT, “Response to Prosecution’s Motion for Joinder”, 13 June 2005.

NOTING "Scheduling Order" filed 20 July 2005 instructing Vojislav Šešelj to file a response to the Prosecution Motion for Joinder within fourteen days of 19 July 2005;

CONSIDERING that the issue of communication restriction is primarily a matter for the Registry;

CONSIDERING HOWEVER, that the response of Accused Milan Martić and the responses of Accused Jovica Stanišić and Franko Simatović will not be translated into BCS and transmitted to the Accused Vojislav Šešelj until the end of August and that in those special circumstances an extension of time is warranted;

PURSUANT TO Rule 127 of the Rules of Procedure and Evidence of the Tribunal:

GRANTS the Motion, in part, and **ORDERS** Vojislav Šešelj to file his response, if any, by Monday, 5 September 2005;

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

Dated this twenty-second day of August 2005,

At The Hague,
The Netherlands



Patrick Robinson
Presiding Judge

[Seal of the Tribunal]

⁵ *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. IT-03-69-PT, "Defence Response to the Prosecution Motion for Joinder (Dated 1st June 2005)", 29 June 2005 and *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. IT-03-69-PT, "Defence Response to Prosecution Motion for Joinder", 29 June 2005.

