

IT-97-24-A
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14 SEPTEMBER 2005

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UNITED
NATIONS



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: IT-97-24-A
Date: 14 September 2005
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Presiding Judge
Judge Fausto Pocar
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Andréia Vaz

Registrar: Mr. Hans Holthuis

Order of: 14 September 2005

PROSECUTOR

v.

MILOMIR STAKIĆ

ORDER ON PROSECUTION'S REQUEST TO FILE A RESPONSE

Counsel for the Prosecutor:
Mr. Mark McKeon

Counsel for the Defence:
Mr. Branko D. Lukić
Mr. John R. Ostojic

Case No. IT-97-24-A

14 September 2005

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,

BEING SEISED OF the “Prosecution’s Request for Leave to File a Reply or Response to Milomir Stakić’s Submission Relative to Witness BT106” (“Request”), filed by the Prosecution on 12 September 2005;

NOTING the “Order Concerning Witness BT106” issued by the Appeals Chamber on 6 September 2005 (“6 September Order”);

NOTING “Milomir Stakić’s Submission Relative to Witness BT106, Pursuant to the Appeals Chamber’s Order of 6 September 2005” filed by Counsel for Milomir Stakić (“Defence”) on 9 September 2005 (“Submission”);

CONSIDERING that in the Submission, the Defence goes well beyond what the Appeals Chamber requested in the 6 September Order by raising a number of new issues;

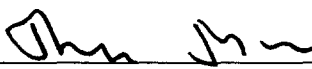
FINDING that the Submission is, at least in part, a new motion to which, as it is for any motion filed in an appeal, the Prosecution is entitled to respond pursuant to paragraph 14 of the Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings before the International Tribunal (IT/155 Rev. 2);

NOTING that the Prosecution has indicated in the Request that its response/reply to the Submission could be filed “within 1 day of any order granting the Prosecution leave to file such a document”;

ORDERS the Prosecution to respond to the Submission by Thursday, 15 September 2005;

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

Dated this 14th day of September 2005,
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding Judge

[Seal of the International Tribunal]