



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-05-88-PT  
Date: 27 March 2006  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Carmel Agius, Pre-trial Judge

**Registrar:** Mr. Hans Holthuis

**Decision of:** 27 March 2006

**THE PROSECUTOR**

v.

**VUJADIN POPOVIĆ  
LJUBIŠA BEARA  
DRAGO NIKOLIĆ  
LJUBOMIR BOROVIČANIN  
ZDRAVKO TOLIMIR  
RADIOVOJE MILETIĆ  
MILAN GVERO  
VINKO PANDUREVIĆ  
MILORAD TRBIĆ**

**DECISION ON PROSECUTION MOTION FOR VARIATION FROM  
WORD LIMITS**

**The Office of the Prosecutor:**

Mr. Peter McCloskey

**Counsel for the Accused:**

Zoran Živanović for Vujadin Popović  
John Ostojić for Ljubiša Beara  
Jelena Nikolić and Stephane Bourgon for Drago Nikolić  
Aleksandar Lazarević and Miodrag Stojanović for Ljubomir Borovčanin  
Natacha Fauveau Ivanović for Radivoje Miletić  
Dragan Krgović for Milan Gvero  
Peter Haynes and Đorđe Sarapa for Vinko Pandurević  
Colleen Rohan and Vesna Janjić for Milorad Trbić

**I, Carmel Agius**, Judge 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 “Prosecution Motion for Variation from Word Limits”, filed on 23 March 2006 (“Motion”), in which the Prosecution requests authorisation to exceed the page limits outlined in the Practice Direction on the Length of Briefs and Motions<sup>1</sup> (“Practice Direction”) for its Pre-Trial Brief;

**NOTING** that the Prosecution submits in its Motion that limiting the discussion and analysis of the facts and legal issues concerning eight Accused<sup>2</sup> to 15,000 words as provided for in the Practice Direction<sup>3</sup> would result in an incomplete Pre-Trial Brief which would deprive the Trial Chamber of all relevant information necessary in order to assist it in its deliberation;

**NOTING** that the Prosecution anticipates that its Pre-Trial Brief will require no more than 60,000 words;

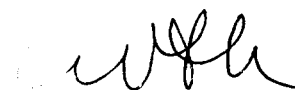
**NOTING** that upon request a Chamber may, where exceptional circumstances that necessitate the oversized filing have been shown by the moving party, extend the word limit imposed by the Practice Direction;<sup>4</sup>

**CONSIDERING** that the Pre-Trial Judge is satisfied that addressing the facts and legal issues concerning eight Accused in the present case constitute exceptional circumstances that necessitate the oversized Pre-Trial Brief;

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence, **HEREBY GRANTS** the Motion.

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

Dated this twenty-seventh March 2006  
At The Hague  
The Netherlands



**Judge Carmel Agius, Pre-Trial Judge**

**[Seal of the Tribunal]**

<sup>1</sup> IT/184/Rev. 2, 16 September 2005.

<sup>2</sup> As of the date of this Decision, Zdravko Tolimir is still at large. The Prosecution submits that it will reserve the right to add a section of the Pre-Trial Brief including this Accused.

<sup>3</sup> Practice Direction, Clause (C) 3.

<sup>4</sup> Practice Direction, Clause (C) 7.