



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-04-82-PT
Date: 3 April 2006
Original: English

IN TRIAL CHAMBER II

Before: Judge Albin Eser, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 3 April 2006

PROSECUTOR

v.

**Ljube BOŠKOSKI
Johan TARČULOVSKI**

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

Counsel for the Prosecutor:

Mr. Dan Saxon
Mr. William Smith
Mr. Anees Ahmed

Counsel for the Accused:

Mr. Dragan Godžo and Ms. Edina Rešidović for Ljube Boškoski
Mr. Antonio Apostolski for Johan Tarčulovski

I, **Albin Eser**, Pre-Trial 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 “Defence Motion for Extension of Time” filed on 23 March 2006 by counsel for Ljube Boškosi (“Boškosi Motion”) and the “Defence Motion for Extension of Time” filed on 29 March 2006 by counsel for Johan Tarčulovski, (“Tarčulovski Motion”);

NOTING that counsel for Boškosi requests a minimum of fourteen (14) additional days to file its response to the “Prosecution’s Second Motion for Admission of Written Statements In Lieu of Viva Voce Testimony Pursuant to Rule 92*bis* and Attached Annexes A and B” (“Second Rule 92*bis* Motion”) starting from the date the Boškosi Motion was filed, and that, if the 14 day-extension is granted, the Boškosi’s response to the Second Rule 92*bis* Motion should be filed by 5 April 2006;

NOTING that counsel for Tarčulovski requests an extension of time to file its response to the Second Rule 92*bis* Motion until 7 April 2006;

NOTING the “Prosecution’s Response to the Defence Motion for Extension of Time filed on 23 March 2006 by Counsel for Accused Boškosi” filed on 27 March 2006 and the “Prosecution’s Response to the Defence Motion for Extension of Time filed on 29 March 2006 by Counsel for Accused Tarčulovski” filed on 30 March 2006, in which the Prosecution takes no position with respect to the requests for extension of time and “leaves the matter in the hands of the Trial Chamber to be dealt with as it deems fit”;

NOTING that Rule 126*bis* of the Tribunal’s Rules of Procedure and Evidence (“Rules”) provides, *inter alia*, that a response to a motion shall be filed within fourteen days (14) of the filing of the motion;

NOTING that Rule 127(A)(i) of the Rules provides that a Trial Chamber may, on good cause being shown by motion, enlarge any time prescribed by or under the Rules;

NOTING that the Boškosi Motion submits that “the Defence has put all its efforts and resources in answering the Prosecution’s Motion” and that both motions point to the length of the Second Rule 92*bis* Motion and the fact that it has 27 witness statements, which must be examined in detail along with the statements of 30 *viva voce* witnesses;

CONSIDERING that “good cause” exists for the requested time extensions;

CONSIDERING FURTHER that Defence Counsel should have the same amount of time to respond to the Second Rule 92*bis* Motion;

PURSUANT to Rule 127(A)(i) of the Rules;

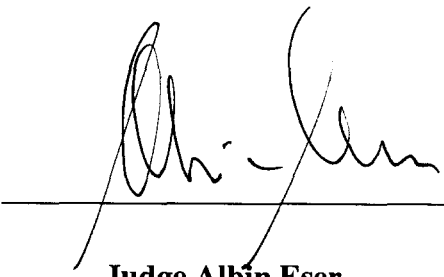
HEREBY GRANT the Boškoski and Tarčulovski Motions and **ORDER** that responses to the Second Rule 92*bis* Motion shall be filed by 7 April 2006.

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

Dated this third day of April 2006,

At The Hague

The Netherlands

A handwritten signature in black ink, appearing to read 'Albin Eser', is written over a horizontal line. The signature is fluid and cursive.

Judge Albin Eser

Pre-Trial Judge

[Seal of the Tribunal]