

**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 No. IT-01-47-A
Date: 20 February 2007
Original: English

BEFORE THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Liu Daqun
Judge Theodor Meron

Registrar: Mr. Hans Holthius

Decision: 20 February 2007

PROSECUTOR

v.

**ENVER HADŽIHASANOVIĆ
AMIR KUBURA**

DECISION ON APPEAL BRIEF ANNEXES

The Office of the Prosecutor:

Mr. Peter Kremer, QC

Counsel for the Appellants:

Ms. Edina Rešidović and Mr. Stéphane Bourgon for Mr. Hadžihasanović
Mr. Fahrudin Ibrišimović and Mr. Rodney Dixon for Mr. Kubura

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 Judgement rendered in the present case on 15 March 2006 by Trial Chamber II;

NOTING the Notice of Appeal filed by Enver Hadžihasanović (“Appellant”) on 18 April 2006;¹

NOTING the Decision on Appellant’s Motion for Reconsideration and Extension of Time Limits, issued by the Pre-Appeal Judge in this case on 30 January 2007 (“Decision of 30 January 2007”), in which the Appellant was granted leave to file his Appeal Brief within five days of that decision in compliance with all relevant Rules and Practice Directions, including sub-paragraphs C(1) and C(6) of the Practice Direction on the Length of Briefs and Motions (“Practice Direction on Length”)²;

HAVING BEEN INFORMED by the Registry that the Appellant filed his “Appellant’s Brief of Enver Hadžihasanović” on 5 February 2007, together with annexes amounting to approximately 3,200 pages, four DVDs and two CDs (“Appeal Brief Annexes”);

NOTING that the Practice Direction on Length provides at paragraph C(6) that “[a]n appendix will be of reasonable length, which is normally three times the page limit for that class of motion or brief (e.g., for a brief that is limited to 30 pages by the above practice direction, the appendix should be limited to 90 pages), although it is understood that the length of appendices will naturally vary more than the length of briefs”;

CONSIDERING that, contrary to paragraph C(6) of the Practice Direction on Length and the Decision of 30 January 2007, the total length of the Appeal Brief Annexes is more than 30 times the page limit for the Appeal Brief;

FOR THE FOREGOING REASONS,

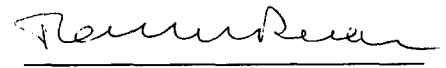
DECLARES null and void the Appeal Brief Annexes filed by the Appellant on 5 February 2007;

DIRECTS the Registry to remove the Appeal Brief Annexes from the case file;

ORDERS the Appellant, if he so wishes, to re-file his Appeal Brief Annexes in full compliance with the Decision of 30 January 2007 and the Practice Direction on Length within one week of the date of this Decision.

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

20 February 2007,
The Hague,
The Netherlands.



Fausto Pocar
Presiding Judge

[Seal of the International Tribunal]

¹ Notice of Appeal from Judgement on Behalf of Enver Hadžihasanović and Request for Leave to Exceed the Page Limit, 18 April 2006.

² IT/184/Rev. 2, 16 September 2005.