



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-04-79-PT
Date: 27 February 2007
Original: English

IN TRIAL CHAMBER II

Before: Judge Krister Thelin, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Order of: 27 February 2007

PROSECUTOR

v.

MİĆO STANIŠIĆ

**ORDER ON EXTENSION OF TIME FOR FILING A
PRE-TRIAL BRIEF PURSUANT TO RULE 65 TER(F)**

The Office of the Prosecutor:

Mr. Alan Tieger

Ms. Anna Richterova

Counsel for the Accused:

Mr. Stevo Bezbradica

I, Judge Krister Thelin, Judge at 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”) and Pre-Trial Judge in these proceedings,

BEING SEIZED OF the “Urgent Defence Motion for Extension of Time for Filing the Pre-Trial Brief” filed 21 February 2007 (“Motion”), whereby counsel for the accused Mićo Stanišić (“Counsel” and “Accused” respectively), seeks a one month extension of time to file a pre-trial brief in accordance with Rule 65*ter*(F) of the Rules of Procedure and Evidence (“Rules”), and notably requests to file a pre-trial brief in accordance with Rule 65*ter*(F) by 2 April 2007,

NOTING that in the course of the Status Conference held on 18 January 2007, I ordered Counsel to file a pre-trial brief pursuant to Rule 65*ter*(F) by 2 March 2007,

NOTING that in the Motion, Counsel submits, *inter alia*, that, in view of the 219 pages of “different information” provided by the Prosecution in its “revised Pre-Trial Brief”, “Exhibit List”, and “Confidential Witness List” filed on 16 February 2007, and, in the interest of a complete submission pursuant to Rule 65*ter*(F), Counsel needs approximately and cumulatively, (i) 10 days to have the 219 pages translated into Serbian (ii) 3 to 5 days for the Accused to assess the documents translated into Serbian and give instructions to Counsel, and (iii) 10 days to “finish a final version of the defence pre-trial brief”,

NOTING the “Prosecution’s Response to Defence’s Urgent Defence Motion for Extension of Time for Filing the Pre-Trial Brief” filed on 23 February 2007, whereby the Prosecution submits that, although it believes that the current schedule provides Counsel with adequate time for filing a brief pursuant to Rule 65*ter*(F) of the Rules, it does not oppose the Motion,

CONSIDERING that, pursuant to Rule 127(A)(i) of the Rules, a Pre-Trial Judge may on good cause being shown by motion, enlarge or reduce any time prescribed by or under these Rules,

CONSIDERING that the reasons advanced for the extension of time do not constitute “good cause”, and that Counsel has been granted several extensions of time to file a submission pursuant to Rule 65*ter*(F) of the Rules¹, and that a further extension would delay the proceedings in the present case,

¹ Order on Extension of Time for Filing a Pre-Trial Brief pursuant to Rule 65*ter*(F) dated 10 January 2007; Oral Order dated 18 January 2007.

PURSUANT TO Rule 65ter and Rule 54 of the Rules, **HEREBY DENY** the Motion and **ORDER** that Counsel file a pre-trial brief pursuant to Rule 65ter(F) of the Rules by and no later than 2 March 2007 as previously scheduled,

REMINDS Counsel that in accordance with Rule 65ter(F) Counsel must file “ a pre-trial brief addressing the factual and legal issues, and including a written statement setting out: (i) in general terms, the nature of the accused’s defence; (ii) the matters with which the accused takes issue in the Prosecutor’s pre-trial brief; and (iii) in the case of each such matter, the reason why the accused takes issue with it”.

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

Dated this 27th day of February 2007
At The Hague
The Netherlands



Judge Krister Thelin
Pre-Trial Judge

[Seal of the Tribunal]