



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-95-11-A

Date: 11 February 2008

Original: English

IT-95-11-A
A757-A755
11 February 2008

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IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Andrésia Vaz
Judge Wolfgang Schomburg

Registrar: Mr. Hans Holthuis

Order of: 11 February 2008

PROSECUTOR

v.

MILAN MARTIĆ

PUBLIC

**ORDER CONCERNING MILAN MARTIĆ'S SUBMISSION OF
A CORRECTED VERSION OF HIS APPELLANT'S BRIEF**

The Office of the Prosecutor:

Ms. Michelle Jarvis

Counsel for the Accused:

Mr. Predrag Milovančević
Mr. Nikola Perović

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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 (“Appeals Chamber” and “International Tribunal”, respectively),

NOTING that the Trial Judgement in this case was delivered on 12 June 2007;

NOTING the “Defence Notice of Appeal against the Trial Judgment of 12 June 2007” filed by Milan Martić (“Appellant”) on 12 July 2007;

NOTING the “Appellant’s Brief” (“Original Appellant’s Brief”) filed confidentially by the Appellant on 14 January 2008;

NOTING the “Notification of Submission of a Corrected Version of Appellant’s Brief” (“Notification”) filed by the Appellant on 31 January 2008, in which the Appellant informs the Appeals Chamber that “[a]fter the ‘Appellant’s Brief’ was filed, Defence has noted that its main text contains several typographical errors, namely that the paragraph numbering is not consecutive” and that “a corrected version of pages 1-92 of the ‘Appellant’s Brief’ is filed today and that annexes remain intact”;¹

NOTING the “Corrected Version of Appellant’s Brief” (“Corrected Appellant’s Brief”) filed confidentially by the Appellant on 31 January 2008;

NOTING that the Prosecution has informed the Appeals Chamber by e-mail that it welcomes this filing;

RECALLING that “a party may, without requesting leave from the Appeals Chamber, file a corrigendum to their previously filed brief or motion whenever a minor or clerical error in said brief or motion is subsequently discovered and where correction of the error is necessary in order to provide clarification”;²

CONSIDERING that the Corrected Appellant’s Brief indeed only corrects the numbering of the Original Appellant’s Brief;

¹ Notification, p. 2.

² *Prosecutor v. Željko Mejakić et al.*, Case No. IT-02-65-AR11bis.1, Decision on Joint Defense Motion for Enlargement of Time to File Appellant’s Brief, 30 August 2005, p. 3; *see also Ferdinand Nahimana et al. v. The Prosecutor*, Case No. ICTR-99-52-A, Decision on Appellant Jean-Bosco Barayagwiza’s Motions for Leave to Submit Additional Grounds of Appeal to Amend the Notice of Appeal and To Correct His Appellant’s Brief, 17 August 2006, p. 54; *Prosecutor v. Naser Orić*, Case No. IT-03-68-A, Decision on the Prosecution’s Motion for Variance Concerning Order and Numbering of the Arguments on Appeal and on the Prosecution’s Corrigendum to Appeal Brief, 3 May 2007, p. 2.

RECALLING that, pursuant to Rule 54 of the Rules of Procedure and Evidence (“Rules”) read together with Rule 107 of the Rules, the Appeals Chamber may, *proprio motu*, issue such orders as may be necessary for the purposes of the preparation or conduct of the proceedings before it;

FOR THE FOREGOING REASONS

ORDERS that for the purposes of this appeal Milan Martić’s Appellant’s brief pursuant to Rule 111 of the Rules is the Original Appellant’s Brief, filed on 14 January 2008, as amended by the Corrected Appellant’s Brief, filed on 31 January 2008;

AFFIRMS that the time limit for the Prosecution’s Respondent’s Brief will expire forty days after the filing of the Original Appellant’s Brief pursuant to Rule 112 of the Rules.

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

Dated this eleventh day of February 2008,
At The Hague, The Netherlands.



Fausto Pocar
Presiding Judge

[Seal of the International Tribunal]