



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: 11 March 2008
Original: English

IN TRIAL CHAMBER II

Before: Judge Krister Thelin, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 11 March 2008

PROSECUTOR

v.

MIĆO STANIŠIĆ

PUBLIC

**DECISION REGARDING RESPONSE TO PROSECUTION
MOTION PURSUANT TO RULE 92 *TER***

The Office of the Prosecutor:

Ms. Anna Richterova

Counsel for the Accused:

Mr. Stevo Bezbradica

I, Judge Krister Thelin, Pre-Trial Judge in the case *Prosecutor v. Mićo Stanišić* 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”),¹

BEING SEIZED of “Urgent Defence’s Motion for Extension of Time for Filing Response to Prosecution’s Motion for Admission of Evidence Pursuant to Rule 92ter”, filed on 10 March 2008 (“Motion”);

NOTING “Prosecution’s Response to Urgent Defence’s Motion for Extension of Time for Filing Response to Prosecution’s Motion for Admission of Evidence Pursuant to Rule 92ter”, filed on 10 March 2008 (“Response”);

NOTING “Prosecution’s Motion for Admission of Evidence pursuant to Rule 92ter”, filed on 29 February 2008 with confidential annexes (“92ter Motion”);

NOTING that in the Motion the Defence submits that:

- (a) it received the 92ter Motion after working hours on 8 March 2008;²
- (b) the 92ter Motion which the Defence received appears to be incomplete;³
- (c) on 5 March 2008 the Accused advised Mr. Bezbradica, Counsel for the Accused, that he does not wish to be represented by him before the Tribunal and that he will represent himself;⁴ and
- (d) Counsel for the Accused considers that there is “no point to further work on the case” until the issue of representation of the Accused has been resolved by the Registry;⁵

NOTING that the Defence seeks an extension of time so that the Defence may file a Response to the 92ter Motion no later than 30 April 2008;⁶

NOTING that the Prosecution has no objection to the Motion and leaves to the Trial Chamber to determine an appropriate date by which the Defence is to file its Response to the 92ter Motion;⁷

¹ *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, Order Regarding Composition of Trial Chamber and Designating a Pre-Trial Judge, 21 March 2005.

² Motion, para. 2.

³ Motion, paras. 3-4.

⁴ Motion, para. 5.

⁵ Motion, para. 6.

⁶ Motion, para. 7.

⁷ Response, p. 1.

NOTING that the Prosecution opposes the Defence claim that the 92^{ter} Motion is incomplete and asserts that if the Defence has not received a DVD attached to it, the Prosecution cannot be held responsible;⁸

CONSIDERING that for as long as Mr. Bezbradica is Counsel for the Accused, he is obliged to continue to represent the Accused;

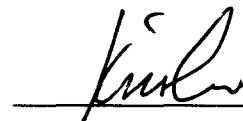
CONSIDERING that, in the circumstances, the extension of time sought by the Defence for filing a Response to the 92^{ter} Motion is in the interests of justice;

PURSUANT TO Rule 127 of the Rules of Procedure and Evidence of the Tribunal;

HEREBY GRANT the Motion and **ORDER** that the Defence shall file no later than 30 April 2008 its Response to the 92^{ter} Motion.

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

Dated this 11th day of March 2008
At The Hague
The Netherlands



Judge Krister Thelin
Pre-Trial Judge

[Seal of the Tribunal]

⁸ Response, p. 1.