



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-05-88-T

Date: 11 April 2008

Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Carmel Agius, Presiding  
Judge O-Gon Kwon  
Judge Kimberly Prost  
Judge Ole Bjørn Støle – Reserve Judge

**Registrar:** Mr. Hans Holthuis

**Decision of:** 11 April 2008

**PROSECUTOR**

v.

**VUJADIN POPOVIĆ  
LJUBIŠA BEARA  
DRAGO NIKOLIĆ  
LJUBOMIR BOROVIČANIN  
RADIVOJE MILETIĆ  
MILAN GVERO  
VINKO PANDUREVIĆ**

**PUBLIC**

**DECISION ON POPOVIĆ'S REQUEST FOR AN EXTENSION OF TIME  
TO FILE A RESPONSE TO THE MOTION TO REOPEN THE  
PROSECUTION CASE**

**Office of the Prosecutor**

Mr. Peter McCloskey

**Counsel for the Accused**

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović  
Mr. John Ostojić and Mr. Christopher Meek for Ljubiša Beara  
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić  
Mr. Aleksandar Lazarević and Mr. Christopher Gosnell for Ljubomir Borovčanin  
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić  
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero  
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

**THIS TRIAL 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;

**BEING SEISED OF** “The Accused Vujadin Popović’s Request for an Extension of Time to File a Response to the Motion to Reopen the Prosecution Case”, filed on 10 April 2008 (“Motion”), in which Popović requests the Trial Chamber to grant him 14 days—the time limit prescribed by Rule 126 *bis*— until 21 April 2008 to file a response to the confidential “Motion to Reopen the Prosecution Case, with Two Appendices” (“Prosecution Motion”);<sup>1</sup>

**NOTING** the “Order on the Motion to Reopen the Prosecution Case”, filed on 8 April 2008 (“Order”), in which the Trial Chamber shortened the time provided for in Rule 126 *bis* for filing any Defence responses to the Prosecution Motion and ordered that they shall be filed no later than 15 April 2008;<sup>2</sup>

**NOTING** that Rule 127(A) provides that a Trial Chamber, on good cause being shown by motion, may extend or reduce any time prescribed by or under these Rules;

**CONSIDERING** that the Prosecution Motion makes new allegations against Popović, that logistically, Popović’s counsel are unable to meet him in person before 15 April 2008 in order to discuss the Prosecution Motion, and that Popović himself has not been provided with a BCS translation of the Prosecution Motion or its supporting material;

**CONSIDERING** that the extension of time requested in the Motion still falls within the prescribed period for filing responses set forth in the Rules;

**CONSIDERING** that, overall, good cause has been shown;

**PURSUANT TO** Rule 127(A) of the Rules,

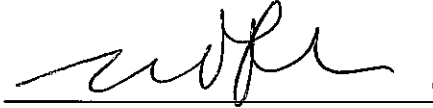
**HEREBY GRANTS** the Motion, and **ORDERS** that Popović shall file his Response, if any, to the Prosecution Motion by 21 April 2008.

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<sup>1</sup> Motion, p. 4.

<sup>2</sup> Order, p. 2.

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



Carmel Agius  
Presiding

Dated this eleventh day of April 2008  
At The Hague  
The Netherlands

[Seal of the Tribunal]