



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

IT-98-34-R
D100-D99
25 SEPTEMBER 2008
Case No.: IT-98-34-R
Date: 25 September 2008
Original: English

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AT

IN THE APPEALS CHAMBER

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

Registrar: Mr. Hans Holthuis

Order of: 25 September 2008

MLADEN NALETILIĆ, *a.k.a.* "TUTA"

v.

PROSECUTOR

PUBLIC

ORDER FOR ADDITIONAL RESPONSE FROM THE PROSECUTION

Office of the Prosecutor:

Mr. Serge Brammertz

Counsel for the Applicant:

Mr. Gerhard Zahner

Rm

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 by the Appeals Chamber in Case No. IT-98-34-A, *Prosecutor v. Mladen Naletilić, a.k.a. “Tuta”, and Vinko Martinović, a.k.a. “Štela”* on 3 May 2006;

NOTING the “Application for a New Hearing of the Trial” filed by Counsel for Mr. Naletilić on 1 July 2008 (“Application”);

NOTING the “Prosecution Response to Naletilić’s Motions for Review and ‘Examination of the Records’” filed on 29 July 2008 (“Response”);

NOTING that on 12 September 2008, the Registry filed the translations of several statements and certificates (“Statements”) which appear to have been sent to the International Tribunal by Counsel for Naletilić and were in the possession of the Office for Legal Aid and Detention Matters;


CONSIDERING therefore, that the Prosecution did not have the opportunity to examine these Statements at the time it filed its Response;

FINDS that the Prosecution should be allowed the opportunity to amend its Response and address any additional information provided in the Statements;

ALLOWS *proprio motu*, the Prosecution, should it wish to do so, to file an additional response to the Application within ten days of the filing of the present Order and Naletilić to reply within five days of the filing of the Prosecution’s additional response.

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

Done this 25th day of September 2008,
At The Hague,
The Netherlands.



Judge Fausto Pocar
Presiding

[Seal of the International Tribunal]