



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-95-5/18-AR73.1

Date: 27 January 2009

Original: English

IN THE APPEALS CHAMBER

Before: Judge Mehmet Güney, Presiding
Judge Fausto Pocar
Judge Liu Daqun
Judge Andréia Vaz
Judge Theodor Meron

Acting Registrar: Mr. John Hocking

Decision of: 27 January 2009

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

DECISION ON MOTION FOR EXTENSION OF TIME

The Office of the Prosecutor:

Mr. Alan Tieger

Mr. Mark B. Harmon

Ms. Hildegard Uertz-Retzlaff

The Accused:

Radovan Karadžić

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 “Tribunal”, respectively),

NOTING the “Decision on Accused’s Second Motion for Inspection and Disclosure: Immunity Issue”, issued by Trial Chamber III (“Trial Chamber”) on 17 December 2008;¹

NOTING the “Decision on Accused’s Application for Certification to Appeal Decision on Inspection and Disclosure”, issued by the Trial Chamber on 19 January 2009;²

BEING SEIZED of the “Motion for Extension of Time” filed by Radovan Karadžić (“Applicant”) on 22 January 2009 (“Motion”), in which the Applicant requests an extension of time for filing his appeal of the Decision of 17 December 2008;

NOTING the “Prosecution’s Response to Karadžić’s Motion for Extension of Time”, filed on 23 January 2009, in which the Prosecution indicates that it does not oppose the Motion;

CONSIDERING that, although the deadline for filing a reply has not yet expired, the Motion can be disposed of immediately in light of the Prosecution’s Response;

RECALLING that the Appeals Chamber may, on good cause being shown by motion, enlarge the time limits prescribed under the Tribunal’s Rules of Procedure and Evidence (“Rules”);³

NOTING that the Applicant first requests an extension of time for filing his appeal on the basis that the translation into Serbian of the Decision of 19 January 2009 was served on him only on 21 January 2009;⁴

CONSIDERING that the Trial Chamber has previously ruled that because the Applicant is representing himself, the time limits for his filings run from the date on which the translation of the respective documents into Serbian are served on him;⁵

CONSIDERING that the Registry has confirmed that the Decision of 19 January 2009 has been served on the Applicant on 21 January 2009;

¹ *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-PT, Decision on Accused’s Second Motion for Inspection and Disclosure: Immunity Issues, 17 December 2008 (“Decision of 17 December 2008”).

² *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-PT, Decision on Accused’s Application for Certification to Appeal Decision on Inspection and Disclosure, 19 January 2009 (“Decision of 19 January 2009”).

³ Rule 127(A)(i) of the Rules.

⁴ Motion, paras 2-5.

⁵ Decision of 19 January 2009, para. 12.

FINDING therefore that the Applicant should have seven days from 21 January 2009 to file his appeal of the Decision of 17 December 2008;

NOTING that the Applicant further requests an extension of time until 2 February 2009 arguing that in light of the importance of the Decision of 17 December 2008, he wishes to consult his Legal Advisor Mr. Peter Robinson before filing his appeal; and that Mr. Peter Robinson is scheduled to be in The Hague only on 2 February 2009;⁶

CONSIDERING that the Pre-Trial Judge has explained in detail the consequences and problems that an accused's self-representation before the Tribunal entail and that the Applicant has nevertheless maintained his decision to represent himself;⁷

FINDING that, in the specific circumstances of this case, the Applicant has not shown good cause for a further extension of time for the filing of his appeal;

FOR THE FOREGOING REASONS,

HEREBY GRANTS the Motion **IN PART**;

ORDERS the Applicant to file his appeal of the Decision of 17 December 2008 no later than 28 January 2009.

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



Judge Mehmet Güney
Presiding Judge

Dated this 27th day of January 2009
At The Hague
The Netherlands

[Seal of the Tribunal]

⁶ Motion, paras 6, 7.

⁷ Initial appearance, T. 31 July 2008 pp. 2, 19-20. Status conference, T. 17 September 2008 p. 43; Status conference, T. 28 October 2008 pp. 70, 75-76. See also *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-I, "Registry Submission pursuant to Rule 33(B) regarding the Accused's Representation and Transmission of Court Documents", filed on 7 August 2008.