



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”),<sup>1</sup>

**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;<sup>2</sup>
- (b) the 92ter Motion which the Defence received appears to be incomplete;<sup>3</sup>
- (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;<sup>4</sup> 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;<sup>5</sup>

**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;<sup>6</sup>

**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;<sup>7</sup>

<sup>1</sup> *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.

<sup>2</sup> Motion, para. 2.

<sup>3</sup> Motion, paras. 3-4.

<sup>4</sup> Motion, para. 5.

<sup>5</sup> Motion, para. 6.

<sup>6</sup> Motion, para. 7.

<sup>7</sup> Response, p. 1.

**NOTING** that the Prosecution opposes the Defence claim that the 92ter Motion is incomplete and asserts that if the Defence has not received a DVD attached to it, the Prosecution cannot be held responsible;<sup>8</sup>

**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 92ter 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 92ter Motion.

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

Dated this 11<sup>th</sup> day of March 2008  
At The Hague  
The Netherlands

  
\_\_\_\_\_  
Judge Krister Thelin  
Pre-Trial Judge

[Seal of the Tribunal]

<sup>8</sup> Response, p. 1.