

**UNITED  
NATIONS**

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International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
former Yugoslavia since 1991

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Case No. IT-95-5/18-PT

Date: 25 March 2009

**IN TRIAL CHAMBER III**

**Before:** Judge Iain Bonomy, Presiding  
Judge Christoph Flüge  
Judge Michèle Picard

**Acting Registrar:** Mr. John Hocking

**THE PROSECUTOR**

**v.**

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**PROSECUTION'S MOTION FOR AN EXTENSION OF TIME  
TO FILE INTERIM PRE-TRIAL BRIEF AND TO EXCEED THE  
WORD LIMIT**

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**The Office of the Prosecutor:**

Mr Alan Tieger  
Ms Hildegard Uertz-Retzlaff

**The Accused:**

Mr Radovan Karadžić

**THE INTERNATIONAL CRIMINAL TRIBUNAL**  
**FOR THE FORMER YUGOSLAVIA**

**Case No. IT-95-5/18-PT**

**THE PROSECUTOR**

**v.**

**RADOVAN KARADŽIĆ**

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**PROSECUTION'S MOTION FOR AN EXTENSION OF TIME TO FILE  
INTERIM PRE-TRIAL BRIEF AND TO EXCEED THE WORD LIMIT**

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*Introduction*

1. At the Status Conference held on 20 February 2009, the Trial Chamber ordered the Prosecution to file its interim pre-trial brief ("Pre-Trial Brief") on or before Monday, 30 March 2009.<sup>1</sup> The Practice Direction on the Length of Briefs and Motions (IT/184/Rev.2)<sup>2</sup> stipulates that the pre-trial brief shall not exceed 15,000 words.<sup>3</sup> The Prosecution hereby requests an extension of the time to file the Pre-Trial brief and to exceed the word limit.

*The scope of the case requires an extension of the prescribed word limit of the Pre-Trial Brief*

2. The Third Amended Indictment ("Indictment") charges the Accused with participation in four distinct, but related, joint criminal enterprises ("JCEs"), covering a period of several years and (1) events in municipalities within Bosnian Serb-claimed territory; (2) the shelling and sniping campaign related to Sarajevo; (3) the events in Srebrenica; and (4) the taking of hostages.<sup>4</sup>

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<sup>1</sup> *Prosecutor v. Karadžić*, Case No. IT-95-5/18-PT, Status Conference, 20 February 2009, Transcript page ("T.") 121.

<sup>2</sup> (IT/184/Rev.2), 16 September 2005 ("Practice Direction").

<sup>3</sup> Practice Direction, para. 2.

<sup>4</sup> Indictment, paras. 6-8.

3. The Accused has raised the issue of particulars in two of his recently filed preliminary motions.<sup>5</sup> While the Indictment provides “a concise statement of the facts” and the necessary level of particularisation required for a large-scale case involving a high level accused, the Prosecution wishes to provide the Accused and the Trial Chamber with further particulars in relation to the participants in the JCEs, and other relevant information pertaining to the crimes charged in the Indictment.
4. The Prosecution is fully cognisant of the fact that a considerable amount of detail is required in a case involving one or more JCEs in relation to members of the JCE, their subordinate personnel and their actions.<sup>6</sup> The Prosecution wishes to provide this information to the Accused and the Trial Chamber in this interim Pre-Trial Brief, which will in terms be fairly close to the final Pre-Trial Brief.<sup>7</sup>
5. Given the scope of the Prosecution’s case, the Prosecution is unable to provide this level of detail in the 15,000-word limit prescribed for pre-trial briefs. The Prosecution therefore requests a considerable extension of the word limit of the Pre-Trial Brief, that is, an additional 10,000 words. Such an extension allows the Prosecution to produce a Pre-Trial Brief that would best serve the Accused and the Trial Chamber in understanding the Prosecution’s case and the evidence to be presented at trial.

*Further time is necessary to provide the necessary detail in the Pre-Trial Brief*

6. Considerable additional work is required in order to provide the Accused and the Trial Chamber with the level of particularity outlined above.
7. The Prosecution therefore requests an extension of time to file its Pre-Trial Brief by Wednesday, 8 April 2009.

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<sup>5</sup> *Prosecutor v. Karadžić*, Case No. IT-95-5/18-PT, Preliminary Motion to Dismiss Paragraph 60(k) for Lack of Jurisdiction, 10 March 2009; *Prosecutor v. Karadžić*, Case No. IT-95-5/18-PT, Preliminary Motion Alleging Defect in Form of the Indictment – Joint Criminal Enterprise Members and Non-Member Participants, 20 March 2009.

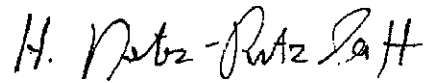
<sup>6</sup> *Prosecutor v. Krajišnik*, Case No. IT-00-39-A, Judgement, 17 March 2009.

<sup>7</sup> 20 February 2009, T. 122.

*Conclusion*

8. For the reasons set out above, the Prosecution respectfully requests that the Trial Chamber grant its Motion for an extension of time to file its Pre-Trial Brief and exceed the word limit.

Word Count: 548



Hildegard Uertz-Retzlaff  
Senior Trial Attorney

Dated this 25<sup>th</sup> day of March 2009  
At The Hague  
The Netherlands