



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-AR73.4

Date: 24 July 2009

Original: English

**BEFORE THE DUTY JUDGE**

**Before:** Judge Ole Bjørn Støle  
**Registrar:** Mr. John Hocking  
**Decision of:** 24 July 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**DECISION ON RADOVAN KARADŽIĆ'S  
MOTION FOR EXTENSION OF TIME**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Accused**

Mr. Radovan Karadžić

**I, Ole Bjørn Støle**, Judge 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”), acting in my current capacity as Duty Judge;

**NOTING** the “Decision on the Accused’s Holbrooke Agreement Motion”, issued by Trial Chamber III on 8 July 2009 (“Holbrooke Decision”);

**NOTING** the “Decision on Accused’s Application for Certification to Appeal Decision on Holbrooke Agreement Motion”, issued on 17 July 2009;

**NOTING** the “Motion for Extension of Time”, filed before the Appeals Chamber by Radovan Karadžić on 24 July 2009 (“Motion”), in which Radovan Karadžić (“Applicant”) requests an extension of time until 17 August 2009 to file his appeal to the Holbrooke Decision, citing:

4. In its Decision, the Trial Chamber recognized that:

The Chamber is aware that the accused is currently in the process of obtaining further information from Carl Bildt and the UN on this issue. Indeed, the Accused’s legal advisor is scheduled to meet with Carl Bildt on 14 July and soon thereafter with the representatives of the UN. The Chamber is of the view that these meetings should take place despite the issuance of this decision, as the information obtained therein may be relevant to any eventual appeal and any eventual sentence.<sup>1</sup>

and stating that Minister Bildt informed him that he could not meet him on 22 July 2009, but promised to meet him in the month of August,<sup>2</sup> and that with regards to the United Nations documents, the inspection by the Applicant’s team could take place on 16-17 and 27-31 July 2009;<sup>3</sup>

**NOTING** the “Prosecution Response to Karadžić’s Motion for Extension of Time”, filed before the Appeals Chamber by the Office of the Prosecutor (“Prosecution”) on 24 July 2009 (“Prosecution Response”);

**NOTING** that, pursuant to Rule 73(C) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), requests for certification granted under Rule 73 of the Rules shall be filed within seven days of the filing of the impugned decision;

**NOTING** the “Order Assigning Motion to the Duty Judge”, rendered by the Acting President of the International Tribunal on 24 July 2009 (“Order”), requesting the Registry to transmit the Motion to the Duty Judge in order for him to consider whether the matter falls under his prerogatives;

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<sup>1</sup> Motion, para. 4, citing Holbrooke Decision, para. 90.

<sup>2</sup> Motion, para. 28.

<sup>3</sup> Motion, para. 32.

**NOTING** that, pursuant to Rule 28(C) of the Rules, applications in a case not otherwise assigned to a Chamber, other than the review of indictment, shall be transmitted to the duty Judge;

**NOTING** that, pursuant to rule 127(A)(i) of the Rules, the Appeals Chamber may, on good cause being shown by motion, enlarge or reduce any time prescribed by or under the Rules;

**CONSIDERING** moreover that this case has not yet been assigned to a bench of the Appeals Chamber, and that the Accused is requesting an extension of time on the very day that the time for his filing of an appeal expires;

**FINDING** therefore that I am competent to decide on the Motion;

**CONSIDERING** the Prosecution Response in which the Prosecution opposes the Motion, arguing that the Accused would need to apply by motion for the admission of additional evidence on appeal, and that the Trial Chamber already instructed the Accused to assert the facts upon which he relies independently of whether investigation by his team is still ongoing;<sup>4</sup>

**FINDING** that, for the reasons given by the Prosecution, the Applicant fails to show that good cause has been shown warranting an extension of time for the filing of his notice of appeal;

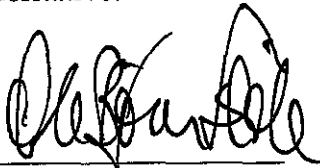
**PURSUANT TO** Rules 28 and 127 of the Rules;

**HEREBY DENY** the Motion;

**ORDER** the Accused to file his appeal of the Holbrooke Decision no later than 27 July 2009.

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

Done this twenty-fourth day of July 2009  
At The Hague  
The Netherlands



Judge Ole Bjørn Støle  
Judge

[Seal of the International Tribunal]

<sup>4</sup> Prosecution Response, para. 2, citing T. 234-235, Status Conference of 6 May 2009.