



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-04-79-PT  
Date: 19 December 2007  
Original: English

**Before:** Judge Wolfgang Schomburg, Duty Judge  
**Registrar:** Mr. Hans Holthuis  
**Decision of:** 19 December 2007

**PROSECUTOR**

v.

**MIĆO STANIŠIĆ**

***PUBLIC***

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**DECISION ON URGENT DEFENCE MOTION FOR  
EXTENSION OF TIME FOR FILING CERTIFICATION OF  
APPEAL PURSUANT TO RULE 73(B)**

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**The Office of the Prosecutor:**

Ms. Anna Richterova

**Counsel for the Accused:**

Mr. Stevo Bezbradica

**I, WOLFGANG SCHOMBURG**, 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 (“Tribunal”), acting in my current capacity as Duty Judge;

**NOTING** the “Decision on Judicial Notice” issued by the Trial Chamber on 14 December 2007 (“Decision”), in which the Trial Chamber *inter alia* took judicial notice of the adjudicated facts specified in the Annex to its Decision;<sup>1</sup>

**NOTING** the “Urgent Defence’s Motion for Extension of Time for Filing Certification of Appeal Pursuant to Rule 73 (B)” filed on 19 December 2007 (“Motion”) by Counsel for the Defence for Mićo Stanišić (“Defence” and “Accused”, respectively) in which the Defence seeks an extension of time for filing its request for certification to appeal the Decision until 7 January 2008 on the grounds that

- (i) it is not able to file its request for certification within seven days of the filing of the Decision;<sup>2</sup>
- (ii) although the Lead Counsel is proficient in BCS, a translation of the Decision is necessary in light of the large amount of new issues it covers, in order to involve the Accused in the process of requesting certification;<sup>3</sup>
- (iii) 10 days at a minimum are needed to translate the 142 page Decision into BCS;<sup>4</sup>
- (iv) it will be in a position to meet with the Accused in person on 4, 5 and 6 January 2008;<sup>5</sup> and
- (v) the extension sought would not delay the proceedings or result in prejudice to the Prosecution;<sup>6</sup>

**NOTING** that the Prosecution has informed the Senior Legal Officer that it does not oppose the Motion and will not file a response;

**CONSIDERING** that pursuant to Rule 28 (D) (ii) of the Rules of Procedure and Evidence (“Rules”), where an application is made within the normal Registry hours and the Trial Chamber to

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<sup>1</sup> Decision, para. 49 (a).

<sup>2</sup> Motion, para. 7.

<sup>3</sup> Motion, paras. 8 and 9.

<sup>4</sup> Motion, para. 9.

<sup>5</sup> Motion, para. 11.

<sup>6</sup> Motion, para. 11.

which the case has been assigned is unavailable, it shall be dealt with by the duty Judge if satisfied as to its urgency or that it is otherwise appropriate to do so in the absence of the Trial Chamber;

**CONSIDERING** that, under Rule 73 (C) of the Rules requests for certification shall be filed within seven days of the filing of the impugned decision;

**FINDING** that the Motion is urgent,

**CONSIDERING** that, under Rule 127 of the Rules a Trial Chamber may, on good cause being shown by motion enlarge any time prescribed under the Rules;

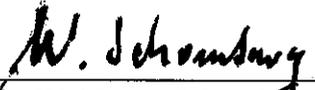
**CONSIDERING** that the Defence has shown good cause for the Motion;

**FOR THE FOREGOING REASONS**

**GRANTS** the Motion.

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

Done this 19th day of December 2007,  
At The Hague,  
The Netherlands.

  
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Judge Wolfgang Schomburg  
Duty Judge

[Seal of the Tribunal]