

IT-02-53-PT
D498-D497
14 MAY 2002

498 KB

**UNITED
NATIONS**



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-02-53-PT
Date: 14 May 2002
Original: English

IN TRIAL CHAMBER II

Before: Judge Wolfgang Schomburg, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Carmel Agius

Registrar: Mr. Hans Holthuis

Decision of: 14 May 2002

PROSECUTOR

v.

**VIDOJE BLAGOJEVIĆ
DRAGAN OBRENOVIĆ
DRAGAN JOKIĆ**

**ORDER ON BLAGOJEVIĆ'S REQUEST
FOR LEAVE TO FILE A REPLY**

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Mr. Michael Karnavas, for Vidoje Blagojević
Mr. David Wilson and Mr Dušan Slijepčević, for Dragan Obrenović
Mr. Miodrag Stojanović and Ms. Cynthia Sinatra for Dragan Jokić

THIS 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 ("Tribunal");

BEING SEISED of a motion filed by the accused Blagojević ("Motion")¹ seeking leave to file a reply to the Prosecution's consolidated response to the Defence motions for production of evidence ("Prosecution Response");²

NOTING this Chamber's Order of 26 February 2002 setting out the procedure for the filing of motions in this case, in which it was stated: "A reply may be filed by the party that filed the motion only in relation to matters raised in the response of the opposing party that go beyond the issues raised in the motion and only with the leave of the Trial Chamber. Applications for leave must be made in writing, identifying the issues on which leave to reply is sought";³

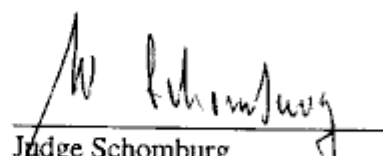
NOTING the arguments of the accused Blagojević that the Prosecution, in its response, went beyond the issues in the original motion filed by the Defence,⁴

CONSIDERING that the accused should be given an opportunity to respond to the new arguments raised in the Prosecution's Response, as set out in the Motion,

HEREBY GRANTS the Motion and

ORDERS that the accused Blagojević file his reply by 28 May 2002.

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


 Judge Schomburg
 Presiding

Dated this fourteenth day of May 2002,
 At The Hague
 The Netherlands

[Seal of the Tribunal]

¹ *Prosecutor v. Blagojević et al.*, Case No. IT-02-53-PT, Accused Blagojević's Request for Leave to File a Reply to the Prosecution's Consolidated Response to Defence Motions for Production of Evidence, 10 May 2002.

² *Prosecutor v. Blagojević et al.*, Case No. IT-02-53-PT, Prosecution Consolidated Response to Defence Motions for Production of Evidence, 2 May 2002.

³ *Prosecutor v. Blagojević et al.*, Case No. IT-02-53-PT, Order for Filing Motions, 26 Feb. 2002.

⁴ *See Prosecutor v. Blagojević et al.*, Case No. IT-02-53-PT, Accused Blagojević's Request for Production of Witness Statements from the Ongoing Srebrenica Investigation Pursuant to Rule 66(B) and the Prosecution's Numerous Representations that Said Statements Would be Disclosed & Request for Oral Argument, 8 Apr. 2002.