



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-04-75-PT

Date: 26 June 2012

Original: English

IN THE TRIAL CHAMBER

Before: Judge Guy Delvoie, Pre-Trial Judge

Registrar: Mr. John Hocking

Decision: 26 June 2012

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**DECISION ON PROSECUTION MOTION FOR EXTENSION
OF WORD LIMIT FOR PRE-TRIAL BRIEF**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for Goran Hadžić:

Mr. Zoran Živanović

Mr. Christopher Gosnell

4918

I, **Guy Delvoie**, 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”) and Pre-Trial Judge in the present case, am seised of the “Prosecution Motion to Exceed Word Limit for its Pre-Trial Brief”, filed on 22 June 2012 (“Motion”). On 25 June 2012, the Defence filed its “Response to Prosecution Motion to Exceed Word Limit for its Pre-Trial Brief” (“Response”).

1. I, in accordance with Rule 65 *ter* (E)(i) of the Rules of Procedure and Evidence of the Tribunal (“Rules”), ordered the Prosecution to file its pre-trial brief by 3 July 2012.¹

2. In the Motion, the Prosecution submits that the case against the accused is extensive, covering a large territory and a broad array of events and crimes that are alleged to have occurred over a period of almost three years, and that the accused’s alleged participation in the charged crimes is extensive.² The Prosecution submits that the charges include the mass murder of Vukovar detainees at Ovčara in November 1991, a crime that formed the sole basis for two previous trials before the Tribunal.³ According to the Prosecution, in order to summarise and cite the relevant evidence at a level of detail that will assist the Defence and the Trial Chamber in understanding the Prosecution’s case, an extension of 5,000 words to the prescribed word limit for pre-trial briefs is necessary.⁴ The Prosecution submits that the above reasons constitute exceptional circumstances justifying an increase in the word limit for its pre-trial brief and seeks authorisation to submit a pre-trial brief of no more than 20,000 words.⁵

3. In its Response, the Defence does not oppose the Motion.⁶

4. Paragraph (C)(3) of the Practice Direction on the Length of Briefs and Motions (“Practice Direction”)⁷ provides that pre-trial briefs will not exceed 15,000 words. Paragraph (C)(7) of the Practice Direction requires the party seeking authorisation to exceed the relevant word limit to demonstrate to the Chamber exceptional circumstances that necessitate the oversized filing.

5. I am satisfied that the arguments advanced by the Prosecution in the Motion are demonstrative of exceptional circumstances for the purposes of paragraph (C)(7) of the Practice Direction. I have taken into account the Defence’s submission that it does not oppose the Motion.

¹ Order on Pre-Trial Work Plan, 16 December 2011, Annex, p. 1.

² Motion, paras 2-3.

³ Motion, para. 2.

⁴ Motion, para. 4.

⁵ Motion, para. 7.

⁶ Response, para. 1.

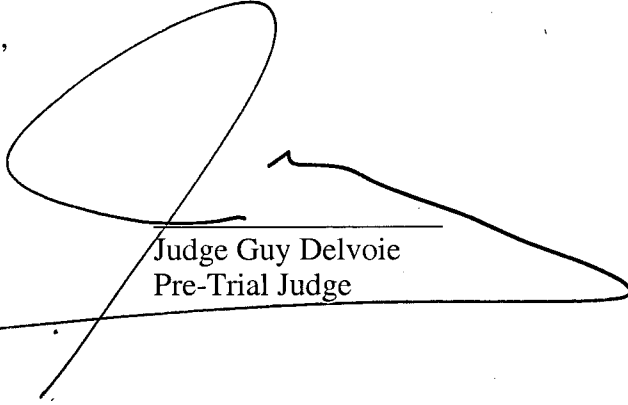
⁷ IT/184/Rev. 2, 16 September 2005.

4917

6. Accordingly, I, pursuant to Rules 54 and 65 *ter* (E)(i) of the Rules and paragraphs (C) (3) and (7) of the Practice Direction, hereby **GRANT** the Motion.

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

Done this twenty-sixth day of June 2012,
At The Hague,
The Netherlands.



Judge Guy Delvoie
Pre-Trial Judge

[Seal of the Tribunal]