



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: IT-03-66-PT

Date: 29 August 2003

Original: English

IN THE TRIAL CHAMBER

Before: Judge Joaquín Martín Canivell, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 29 August 2003

THE PROSECUTOR

v.

**Fatmir LIMAJ
Haradin BALA
Isak MUSLIU**

**DECISION ON THE APPLICATION OF ISAK MUSLIU FOR EXTENSION OF TIME
TO FILE REPLY TO "CONFIDENTIAL PROSECUTION'S RESPONSE TO
APPLICATION FOR PROVISIONAL RELEASE FILED BY THE ACCUSED ISAK
MUSLIU"**

Office of the Prosecutor:

**Mr. Andrew Cayley
Mr. Alex Whiting**

Counsel for the Defence:

**Mr. Karim A. A. Khan for Fatmir Limaj
Mr. Tomë Gashi and Mr. Peter Murphy for Haradin Bala
Mr. Bajram Krasniqi and Mr. Steven Powles for Isak Musliu**

TRIAL CHAMBER I (the "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 (the "Tribunal");

BEING SEISED OF the "Application for extension of time to file reply to 'Confidential Prosecution's response to application for provisional release filed by the Accused Isak Musliu' ", filed on 28 August 2003 (the "Request");

NOTING that the Defence requests leave to file a reply and an extension of time within which to file a reply to the Prosecution's response on the grounds that, due to professional difficulties encountered by the Defence Counsels to meet with the Accused during the month of August, they were only able to take instructions from the Accused with a view to preparing a reply on 27 August 2003;

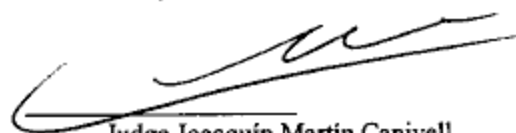
CONSIDERING Rule 126*bis* of the Rules of Procedure and Evidence of the Tribunal (the "Rules"), which provides *inter alia*, that "[a] reply to the response, if any, shall be filed within seven days of the filing of the response, with the leave of the relevant Chamber"; that it is appropriate in this case and given the issue raised to grant leave to file a reply;

CONSIDERING Rule 127 of the Rules which provides *inter alia* that a Chamber may enlarge any time prescribed within the Rules on good cause being shown; that the Defence requests an extension of time until 3 September 2003 to file its reply if leave is granted; that the Chamber finds it appropriate in this case to grant the request;

PURSUANT TO Rule 126*bis* and Rule 127 of the Rules;

HEREBY grants leave to the Defence to file a reply and **ORDERS** that the Defence shall file a reply to the response no later than 3 September 2003.

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



Judge Joaquín Martín Canivell,
Pre-Trial Judge

Dated this 29th day of August 2003
At The Hague, The Netherlands

[Seal of the Tribunal]