

**UNITED
NATIONS**



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-09-92-AR65.1
Date: 24 May 2017
Original: English

IN THE APPEALS CHAMBER

Before: Judge Carmel Agius, Presiding
Judge Liu Daqun
Judge Fausto Pocar
Judge Theodor Meron
Judge Burton Hall

Registrar: Mr. John Hocking

Order of: 24 May 2017

PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

ORDER FOR EXPEDITED RESPONSE AND REPLY

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Mr. Branko Lukić
Mr. Miodrag Stojanović

THE APPEALS 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 (“Appeals Chamber” and “Tribunal”, respectively);

BEING SEISED of the “Interlocutory Appeal of Mr. Ratko Mladić Against Trial Chamber’s Decision on Emergency and Urgent Motion for Provisional Release of Mr. Ratko Mladić Based on Humanitarian and Medical Reasons Dated 12 May 2017, 19 May 2017” filed confidentially by Ratko Mladić (“Mladić”) on 19 May 2017 (“Appeal”);¹

NOTING the “Decision on Urgent Defence Motion for Provisional Release” issued confidentially by Trial Chamber I of the Tribunal (“Trial Chamber”) on 12 May 2017, whereby the Trial Chamber denied Mladić’s request for provisional release;²

NOTING the provisions of paragraphs 2 and 3 of the “Practice Direction on Procedure for the Filing of Written Submissions in Appeal Proceedings Before the International Tribunal”, IT/155 Rev. 4, issued on 4 April 2012 (“Practice Direction”), as to the time for filing responses to interlocutory appeals and replies, respectively, when interlocutory appeal lies as of right;

NOTING that the provisions of the Practice Direction are without prejudice to any such orders or decisions that may be made by the Appeals Chamber, and that in particular, it may “vary any time-limit prescribed under this Practice Direction”;³

CONSIDERING that the request for provisional release was filed before the Trial Chamber on an urgent basis,⁴ and that expedited submissions from the parties would facilitate an expeditious determination of the Appeal;

PURSUANT TO Rules 54 and 107 of the Rules of Procedure and Evidence of the Tribunal;

¹ A public version of the Appeal was filed on 22 May 2017, with a corrigendum containing textual corrections filed on that same day. See Interlocutory Appeal of Mr. Ratko Mladić Against Trial Chamber’s Decision on Emergency and Urgent Motion for Provisional Release of Mr. Ratko Mladić Based on Humanitarian and Medical Reasons Dated 12 May 2017, 22 May 2017 (public redacted); Corrigendum to Interlocutory Appeal of Mr. Ratko Mladić Against Trial Chamber’s Decision on Emergency and Urgent Motion for Provisional Release of Mr. Ratko Mladić Based on Humanitarian and Medical Reasons Dated 12 May 2017, 22 May 2017 (confidential).

² *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Decision on Urgent Defence Motion for Provisional Release, 12 May 2017 (confidential) (“Impugned Decision”), para. 19. A public redacted version of the decision was issued the same day. See *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Decision on Urgent Defence Motion for Provisional Release, 12 May 2017 (public redacted).

³ Practice Direction, para. 19.

⁴ *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Emergency and Urgent Motion for Provisional Release of Mr. Ratko Mladić Based on Humanitarian and Medical Reasons, 20 March 2017 (confidential) (“Request”). A public version of the Request was filed on 21 March 2017. See *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Emergency and Urgent Motion for Provisional Release of Mr. Ratko Mladić Based on Humanitarian and Medical Reasons, 21 March 2017 (public redacted).

HEREBY ORDERS (i) the Office of the Prosecutor to file any response to the Appeal no later than 26 May 2017; and (ii) Mladić to file any reply no later than 30 May 2017.

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

Done this twenty-fourth day of May 2017,
At The Hague,
The Netherlands.



Judge Carmel Agius
Presiding

[Seal of the Tribunal]