



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-04-81-A
Date: 16 September 2011
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge
Registrar: Mr. John Hocking
Decision: 16 September 2011

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

**DECISION ON MOMČILO PERIŠIĆ'S MOTION FOR AN
EXTENSION OF TIME TO FILE A NOTICE OF APPEAL**

The Office of the Prosecutor:

Ms. Helen Brady

Counsel for Momčilo Perišić:

Mr. Novak Lukić

Mr. Gregor Guy-Smith

I, THEODOR MERON, Judge of 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), and Pre-Appeal Judge in this case;¹

NOTING the Judgement of Trial Chamber I rendered on 6 September 2011 (“Judgement”);²

BEING SEIZED OF the “Motion for an Extension of Time to File a Notice of Appeal”, filed by Counsel for Momičilo Perišić (“Perišić”) on 13 September 2011 (“Motion”), by which Perišić seeks an extension of time of 30 days beyond the time allotted by the Rules of Procedure and Evidence (“Rules”), up to and including 8 November 2011, to file any notice of appeal;³

NOTING the “Prosecution Response to Defence Motion for Extension of Time”, filed by the Office of the Prosecutor (“Prosecution”) on 15 September 2011 (“Response”), which does not oppose the Motion but requests an equivalent 30 day extension of time to file any notice of appeal if the Motion is granted;⁴

CONSIDERING that, pursuant to Rule 108 of the Rules, parties seeking to appeal a trial judgement should file their notices of appeal no later than 30 days from the date of the judgement;

RECALLING that pursuant to Rules 127(A)(i) and 127(B) of the Rules, the pre-Appeal Judge may, on good cause being shown, enlarge the time limits prescribed under the Rules;

NOTING Perišić’s submission that good cause exists for granting the Motion in light of, *inter alia*, the length and complexity of the Trial Judgement and the record upon which it was based;⁵

CONSIDERING the length of the Judgement and the complexity of the issues it raises;

CONSIDERING that it is in the interests of justice to ensure that the parties have sufficient time to prepare meaningful notices of appeal in full conformity with the applicable provisions;

FINDING on this basis that good cause exists for granting both Perišić and the Prosecution an extension of 30 days beyond the time allotted by Rule 108 of the Rules in which to file notices of appeal;

¹ Order Designating a Pre-Appeal Judge, 15 September 2011.

² *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-T, Judgement (public with confidential Annex C), 6 September 2011.

³ Motion, para. 14.

⁴ Response, para. 2.

⁵ Motion, paras 4-10.

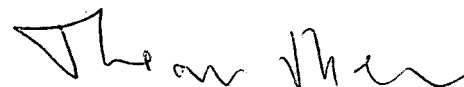
FOR THE FOREGOING REASONS,

HEREBY GRANT, the Motion; and

ORDER that all notices of appeal be filed within 60 days of the date of the Judgement.

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

Done this 16th day of September 2011,
At The Hague,
The Netherlands.



Judge Theodor Meron
Presiding Judge

[Seal of the Tribunal]