



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-05-88-T

Date: 11 April 2008

Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge O-Gon Kwon
Judge Kimberly Prost
Judge Ole Bjørn Støle – Reserve Judge

Registrar: Mr. Hans Holthuis

Decision of: 11 April 2008

PROSECUTOR

v.

**VUJADIN POPOVIĆ
LJUBIŠA BEARA
DRAGO NIKOLIĆ
LJUBOMIR BOROVIČANIN
RADIVOJE MILETIĆ
MILAN GVERO
VINKO PANDUREVIĆ**

PUBLIC

**DECISION ON POPOVIĆ'S REQUEST FOR AN EXTENSION OF TIME
TO FILE A RESPONSE TO THE MOTION TO REOPEN THE
PROSECUTION CASE**

Office of the Prosecutor

Mr. Peter McCloskey

Counsel for the Accused

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović
Mr. John Ostojić and Mr. Christopher Meek for Ljubiša Beara
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić
Mr. Aleksandar Lazarević and Mr. Christopher Gosnell for Ljubomir Borovčanin
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

THIS TRIAL 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;

BEING SEISED OF “The Accused Vujadin Popović’s Request for an Extension of Time to File a Response to the Motion to Reopen the Prosecution Case”, filed on 10 April 2008 (“Motion”), in which Popović requests the Trial Chamber to grant him 14 days—the time limit prescribed by Rule 126 *bis*— until 21 April 2008 to file a response to the confidential “Motion to Reopen the Prosecution Case, with Two Appendices” (“Prosecution Motion”);¹

NOTING the “Order on the Motion to Reopen the Prosecution Case”, filed on 8 April 2008 (“Order”), in which the Trial Chamber shortened the time provided for in Rule 126 *bis* for filing any Defence responses to the Prosecution Motion and ordered that they shall be filed no later than 15 April 2008;²

NOTING that Rule 127(A) provides that a Trial Chamber, on good cause being shown by motion, may extend or reduce any time prescribed by or under these Rules;

CONSIDERING that the Prosecution Motion makes new allegations against Popović, that logistically, Popović’s counsel are unable to meet him in person before 15 April 2008 in order to discuss the Prosecution Motion, and that Popović himself has not been provided with a BCS translation of the Prosecution Motion or its supporting material;

CONSIDERING that the extension of time requested in the Motion still falls within the prescribed period for filing responses set forth in the Rules;

CONSIDERING that, overall, good cause has been shown;

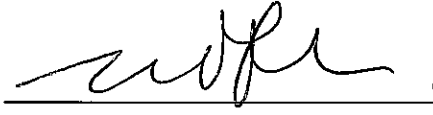
PURSUANT TO Rule 127(A) of the Rules,

HEREBY GRANTS the Motion, and **ORDERS** that Popović shall file his Response, if any, to the Prosecution Motion by 21 April 2008.

¹ Motion, p. 4.

² Order, p. 2.

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



Carmel Agius
Presiding

Dated this eleventh day of April 2008
At The Hague
The Netherlands

[Seal of the Tribunal]