



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-04-74-A
Date: 18 September 2014
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge
Registrar: Mr. John Hocking
Decision of: 18 September 2014

PROSECUTOR

v.

**JADRANKO PRLIĆ
BRUNO STOJIC
SLOBODAN PRALJAK
MILIVOJ PETKOVIĆ
VALENTIN ĆORIĆ
BERISLAV PUŠIĆ**

PUBLIC

**DECISION ON MOTIONS FOR REFERRAL TO THE PANEL OF
JUDGES**

The Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Douglas Stringer
Mr. Mathias Marcussen

Counsel for the Defence:

Mr. Michael G. Karnavas and Ms. Suzana Tomanović for Mr. Jadranko Prlić
Ms. Senka Nožica and Mr. Karim A. A. Khan for Mr. Bruno Stojic
Ms. Nika Pinter and Ms. Nataša Fauveau-Ivanović for Mr. Slobodan Praljak
Ms. Vesna Alaburić and Mr. Guénaél Mettraux for Mr. Milivoj Petković
Ms. Dijana Tomašegović-Tomić and Mr. Dražen Plavec for Mr. Valentin Ćorić
Mr. Fahrudin Ibrišimović and Mr. Roger Sahota for Mr. Berislav Pušić

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

BEING SEISED OF the “Jadranko Prlić’s Motion to the Pre-Appeal Judge to Refer the Requests for Extension of Time and Word Limit to the Panel of Judges”, filed by Jadranko Prlić (“Prlić”) on 15 September 2014 (the “Request”), wherein Prlić requests me, as the Pre-Appeal Judge, to refer his request for extension time and word count for his Appellant’s brief to the entire bench of the Appeals Chamber seised of this case and further requests that the filing date for the Appellant’s brief be extended 60 days beyond the original deadline prescribed under the Tribunal’s Rules of Procedure and Evidence (“Rules”) and that the word count be extended to 50,000 words;²

BEING FURTHER SEISED OF (i) “Slobodan Praljak’s Joinder to Jadranko Prlić’s Motion to the Pre-Appeal Judge to Refer the Request for Extension of Time and Word Limit to the Panel of Judges”, filed by Slobodan Praljak (“Praljak”) on 15 September 2014 (“Praljak Joinder”); (ii) “Milivoj Petković’s Joinder to Jadranko Prlić’s Motion to the Pre-Appeal Judge to Refer the Request for Extension of Time and Word Limit to the Panel of Judges”, filed by Milivoj Petković (“Petković”) on 16 September 2014 (“Petković Joinder”); (iii) the “Joinder to Jadranko Prlić’s Motion to the Pre-Appeal Judge to Refer the Request for Extension of Time and Word Limit to the Panel of Judges”, filed by Valentin Ćorić (“Ćorić”) on 17 September 2014 (“Ćorić Joinder”); and (iv) “Bruno Stojić’s Joinder to Jadranko Prlić’s Motion to the Pre-Appeal Judge to Refer the Request for Extension of Time and Word Limit to the Panel of Judges”, filed by Bruno Stojić (“Stojić” and, together with Prlić, Praljak, Petković, and Ćorić, the “Appellants”) on 17 September 2014 (“Stojić Joinder” and, together with the Request and the Praljak, Petković, and Ćorić Joinders, the “Motions”), wherein Praljak, Petković, Stojić, and Ćorić join the Request;³

NOTING the “Prosecution’s Response to Motion to the Pre-Appeal Judge to Refer the Requests for Extension of Time and Word Limit to the Panel of Judges”, filed by the Office of the Prosecutor (“Prosecution”) on 17 September 2014 (“Prosecution’s Response”), wherein the Prosecution supports the Motions regarding the requested extensions of the deadlines for the filing of Appellants’ briefs, but requests that (i) any changes in the deadlines should be extended to all parties in the case and that

¹ Order Designating a Pre-Appeal Judge, 19 June 2013, p. 1.

² Request, p. 7.

³ See Praljak Joinder, para. 9; Petković Joinder, para. 13; Ćorić Joinder, p. 5; Stojić Joinder, p. 4.

(ii) if the word limit for Appellants' briefs is further increased – which the Prosecution opposes – then the Prosecution should also be granted a corresponding increase of the word limit for its briefs;⁴

NOTING that Rule 65 *ter* (B) of the Rules provides that the pre-trial Judge shall “under authority and supervision of the Trial Chamber seized of the case, coordinate communications between the parties during the pre-trial phase”, “ensure that the proceedings are not unduly delayed”, and “take any measures necessary to prepare the case for a fair and expeditious trial”;

NOTING that Rule 65 *ter* (J) of the Rules provides that “the pre-trial Judge shall keep the Trial Chamber regularly informed, particularly where issues are in dispute and may refer such disputes to the Trial Chamber”;

NOTING that pursuant to Rule 107 of the Rules, the rules of procedure and evidence governing proceedings in the Trial Chambers shall apply *mutatis mutandis* to proceedings in the Appeals Chamber;

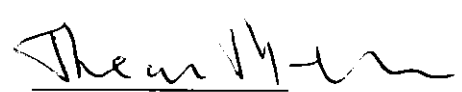
CONSIDERING that it is in the interests of justice to refer the Appellants' Motions to the full bench seized of this case;

FOR THE FOREGOING REASONS,

HEREBY GRANT the Motions and **REFER** the Appellants' requests for extension of time and word limit to the bench of the Appeals Chamber seized of this case.

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

Done this 18th day of September 2014,
At The Hague,
The Netherlands.


Judge Theodor Meron
Pre-Appeal Judge

[Seal of the Tribunal]

⁴ Prosecution's Response, paras 1-2.