

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 Nos. IT-04-79-PT
IT-99-36/2-I
Date: 15 July 2008
Original: English

IN TRIAL CHAMBER II

Before: Judge Ole Bjørn Støle, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Order of: 15 July 2008

**PROSECUTOR v. MIĆO STANIŠIĆ
PROSECUTOR v. STOJAN ŽUPLJANIN**

PUBLIC

**ORDER ON PROSECUTION'S REQUEST FOR LEAVE TO
EXCEED WORD LIMIT FOR MOTION FOR JOINDER AND
FOR LEAVE TO CONSOLIDATE AND AMEND
INDICTMENTS**

The Office of the Prosecutor:

Ms. Anna Richterova

Counsel for the Accused:

Slobodan Zečević and Slobodan Cvijetić for Mićo Stanišić
Tomislav Višnić for Stojan Župljanin

I, Judge Ole Bjørn Støle, Judge at 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 (“Tribunal”) and Pre-Trial Judge in these proceedings,

NOTING “Prosecution’s Request for Leave to Exceed Word Limit for Prosecution’s Motion for Joinder and for Leave to Consolidate and Amend Indictments” filed on 4 July 2007 (“Request”), whereby the Prosecution requests to exceed the maximum word limit for a motion for joinder of accused and for leave to consolidate and amend indictments (“Motion for Joinder”) that it intends to file,

NOTING that the Practice Direction provides, *inter alia*, that motions will not exceed 3,000 words and that a party must seek authorization in advance from the Chamber to exceed the word limits in the Practice Direction and must provide an explanation of the exceptional circumstances that necessitate the oversized filing,¹

NOTING that in the Request the Prosecution submits that the Motion for Joinder it intends to file requires an extensive analysis of the cases sought to be joined, including a discussion of the effect which such joinder might have on, *inter alia*, the presentation of evidence, judicial economy and the time of commencement and completion of trial,

NOTING further that the Prosecution also intends to seek the consolidation of the Indictments against the Accused Mićo Stanišić and Stojan Župljanin and to present its arguments regarding this matter in the Motion for Joinder it intends to file,

NOTING that, in the circumstances, the filing of the oversized Motion for Joinder will not result in prejudice to the Defence for the Accused Mićo Stanišić and the Defence for the Accused Stojan Župljanin,

CONSIDERING that the matters the Prosecution intends to raise in its Motion for Joinder are of high complexity and

BEING SATISFIED that the Prosecution demonstrated the existence of exceptional circumstances necessitating the oversized filing,

For the foregoing reasons, **PURSUANT TO** Rule 54 of the Rules and the Practice Direction,

GRANT the Motion, and

¹ Practice Direction on the Length of Briefs and Motions, paras 5 and 7.

AUTHORIZE the Prosecution to file a Motion for Joinder not exceeding 6,000 words.

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

Dated this fifteenth day of July 2008

At The Hague

The Netherlands

A handwritten signature in black ink, appearing to read 'Ole Bjørn Støle', written over a horizontal line.

Judge Ole Bjørn Støle
Pre-Trial Judge

[Seal of the Tribunal]