



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-05-88/2-A
Date: 5 March 2014
Original: English

IN THE APPEALS CHAMBER

Before: Judge Theodor Meron, Pre-Appeal Judge
Registrar: Mr. John Hocking
Decision of: 5 March 2014

PROSECUTOR

v.

ZDRAVKO TOLIMIR

PUBLIC

**DECISION ON PROSECUTION'S MOTION FOR EXTENSION
OF TIME**

The Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Paul Rogers

The Accused:

Mr. Zdravko Tolimir

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

RECALLING my decision of 25 February 2014 ordering Zdravko Tolimir (“Tolimir”) and the Office of the Prosecutor of the Tribunal (“Prosecution”) to file public redacted versions of their briefs by 27 March 2014;²

BEING SEISED OF the “Motion for Extension of Time” filed by the Prosecution on 27 February 2014 (“Motion”), by which the Prosecution seeks an extension of time of 14 days from 27 March 2014 or from the filing of Tolimir’s public redacted Consolidated Appeal Brief (whichever is earlier), to file its public redacted Response Brief;³

NOTING the “Response to Prosecution’s Motion for Extension of Time” filed by Tolimir on 27 February 2014 (“Response”), in which Tolimir does not oppose the Motion;⁴

NOTING the Prosecution’s submission that good cause exists for granting the Motion since: (i) the Prosecution cannot refer in its Response Brief to parts of Tolimir’s Consolidated Appeal Brief that are redacted; (ii) the Prosecution will not know what the redacted parts are until Tolimir files the public redacted Consolidated Appeal Brief; and (iii) 14 days is a reasonable period of time to allow it to review the public redacted Consolidated Appeal Brief and make consistent redactions to its Response Brief;⁵

NOTING that Tolimir filed a public redacted version of the Consolidated Appeal Brief on 3 March 2014;⁶

NOTING FURTHER that Tolimir filed an amended Brief in Reply confidentially on 27 February 2014;⁷

CONSIDERING that, pursuant to Rules 127(A)(i) and 127(B) of the Rules of Procedure and Evidence of the Tribunal (“Rules”), the Pre-Appeal Judge may, on good cause being shown, enlarge or reduce the time limits prescribed by or under the Rules;

¹ Order Designating a Pre-Appeal Judge, 27 December 2012.

² T. 18-19, 25 February 2014.

³ Motion, para. 1.

⁴ Response, para. 1.

⁵ Motion, para. 1.

⁶ Public Redacted Version of the Consolidated Appeal Brief, 28 February 2014.

⁷ Amended Brief in Reply, 27 February 2014.

RECALLING that the Appeals Chamber must ensure that the proceedings before it are fair and expeditious pursuant to Article 20(1) of the Statute of the Tribunal;

CONSIDERING that the Prosecution has indicated that 14 days is a reasonable period of time to allow it to review the public redacted Consolidated Appeal Brief and make consistent redactions to its Response Brief;

FINDING that there is good cause for reducing the time limit for the filing of the public redacted version of the Prosecution's Response Brief;

PURSUANT to Rules 111, 112, 113 and 127 of the Rules;

HEREBY GRANT the Motion and

(i) **ORDER** the Prosecution to file a public redacted Response Brief no later than 17 March 2014;

(ii) **AFFIRM** the time limit of 27 March 2014 for Tolimir to file a public redacted version of the amended Brief in Reply.

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

Done this 5th day of March 2014,
At The Hague,
The Netherlands.



Judge Theodor Meron
Pre-Appeal Judge

[Seal of the Tribunal]