



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: 3 January 2013  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Theodor Meron, Pre-Appeal Judge  
**Registrar:** Mr. John Hocking  
**Decision of:** 3 January 2013

**PROSECUTOR**

v.

**ZDRAVKO TOLIMIR**

***PUBLIC***

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

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**The Office of the Prosecutor:**

Mr. Serge Brammertz

**The Accused:**

Mr. Zdravko Tolimir

**I, THEODOR MERON**, President 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;<sup>1</sup>

**NOTING** the Judgement of Trial Chamber II of the Tribunal rendered on 12 December 2012;<sup>2</sup>

**BEING SEISED OF** the “Motion for an Extension of Time to File Notice of Appeal”, filed by Zdravko Tolimir (“Tolimir”) on 21 December 2012 (“Motion”), by which Tolimir seeks an extension of time of 60 days beyond the time allotted by the Rules of Procedure and Evidence of the Tribunal (“Rules”), up to and including 12 March 2013, to file any notice of appeal;<sup>3</sup>

**NOTING** the “Prosecution’s Response to Tolimir’s Motion for an Extension of Time to File Notice of Appeal”, filed by the Office of the Prosecutor (“Prosecution”) on 24 December 2012 (“Response”), in which the Prosecution states that it does not oppose the Motion but requests an equivalent 60-day extension of time to file any notice of appeal if the Motion is granted;<sup>4</sup>

**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;<sup>5</sup>

**NOTING** Tolimir’s submission that good cause exists for granting the Motion in light of, *inter alia*, the length and complexity of the Judgement and the record upon which it was based, and the unavailability of the Judgement in a language understood by Tolimir as of the date of the Motion;<sup>6</sup>

**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;

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<sup>1</sup> Order Designating a Pre-Appeal Judge, 27 December 2012.

<sup>2</sup> *Prosecutor v. Zdravko Tolimir*, Case No. IT-05-88/2-T, Judgement, 12 December 2012 (public with confidential Annex C) (“Judgement”).

<sup>3</sup> Motion, paras 1, 15.

<sup>4</sup> Response, paras 1-2.

<sup>5</sup> See, e.g., *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-A, Decision on Momčilo Perišić’s Motion for an Extension of Time to File a Notice of Appeal, 16 September 2011, p. 1; *Prosecutor v. Vlastimir Đorđević*, Case No. IT-05-87/1-A, Decision on Vlastimir Đorđević’s Motion for an Extension of Time to File a Notice of Appeal, 16 March 2011, p. 1.

<sup>6</sup> Motion, paras 6-14.

**FINDING** on this basis that good cause exists for granting both Tolimir and the Prosecution an extension of 60 days beyond the time allotted by Rule 108 of the Rules in which to file notices of appeal;

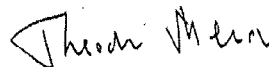
**FOR THE FOREGOING REASONS,**

**HEREBY GRANT** the Motion; and

**ORDER** that all notices of appeal be filed within 90 days of the date of the Judgement.

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

Done this 3rd day of January 2013,  
At The Hague,  
The Netherlands.



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Judge Theodor Meron  
Pre-Appeal Judge

[Seal of the Tribunal]