



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-08-91-PT
Date: 6 March 2009
Original: English

IN TRIAL CHAMBER II

Before: Judge O-Gon Kwon, Presiding
Judge Kimberly Prost
Judge Ole Bjørn Støle

Registrar: Mr John Hocking, Acting Registrar

Order of: 6 March 2009

PROSECUTOR

v.

**MIĆO STANIŠIĆ
STOJAN ŽUPLJANIN**

PUBLIC

**ORDER REGARDING AN EXTENSION OF TIME FOR
STOJAN ŽUPLJANIN'S RESPONSE**

The Office of the Prosecutor:

Mr Thomas Hannis
Ms Joanna Korner

Counsel for the Accused:

Mr Slobodan Zečević and Mr Slobodan Cvijetić for Mićo Stanišić
Mr Tomislav Višnjić and Mr Igor Pantelić for Stojan Župljanin

TRIAL CHAMBER II (“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 (“Tribunal”);

BEING SEISED of “Stojan Župljanin’s Request for an Extension of Time to Respond to the Prosecution’s Notice of 23 February 2009 Regarding Adjudicated Facts,” filed by Counsel for Stojan Župljanin (“Župljanin Defence”) on 2 March 2009 (“Request”), in which the Župljanin Defence requests an extension of time until 1 May 2009 to file its response regarding adjudicated facts;

NOTING the “Prosecution Response to Stojan Župljanin’s Request for an Extension of Time to Respond to the Prosecution’s Notice of 23 February 2009 Regarding Adjudicated Facts” filed on 5 March 2009, whereby the Prosecution objects to the length of the requested extension;

RECALLING the Chamber’s “Decision on Judicial Notice”, filed on 14 December 2007 in the case of *Prosecutor v. Mićo Stanišić* (“Decision on Judicial Notice”), in which the Chamber took judicial notice of a number of adjudicated facts;¹

RECALLING that, following the arrest and subsequent transfer on 21 June 2008 of Stojan Župljanin to the seat of the Tribunal, on 23 September 2008, the Chamber granted the Prosecution’s motion for joinder of the case against Stojan Župljanin with the case against Mićo Stanišić;²

NOTING the “Prosecution Request and Notice Regarding Application of Adjudicated Facts to Stojan Župljanin, with Annex,” filed on 23 February 2009 (“Prosecution Notice”), in which the Prosecution requested that the adjudicated facts of which the Chamber took judicial notice in its Decision on Judicial Notice be admitted, with minor modifications, as evidence against the Accused Stojan Župljanin, and that its two pending motions for judicial notice of additional adjudicated facts that were filed in the case of *Prosecutor v. Mićo Stanišić*³ apply to both Accused in the instant case;⁴

CONSIDERING that a great number of adjudicated facts in the Decision on Judicial Notice, as well as those proposed in the Third and the Fourth Motions on Adjudicated Facts, may be of

¹ *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, “Decision on Judicial Notice”, 14 December 2007, para 49.

² *Prosecutor v. Mićo Stanišić* and *Prosecutor v. Stojan Župljanin*, Case Nos.: IT-04-79-PT and IT-99-36/2-PT, “Decision on Prosecution’s Motion for Joinder and for Leave to Consolidate and Amend Indictments”, 23 September 2008, p 24.

³ *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, “Prosecution’s Third Motion for Judicial Notice of Adjudicated Facts, with Annex”, 25 January 2008, (“Third Motion on Adjudicated Facts”); *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, “Prosecution’s Fourth Motion for Judicial Notice of Adjudicated Facts, with Annex”, 24 April 2008, (“Fourth Motion on Adjudicated Facts”).

⁴ Notice, paras 1, 8;

relevance to the charges against Stojan Župljanin and that the Župljanin Defence should thus be given opportunity to comment on the Prosecution's requests;

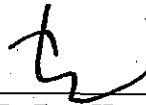
CONSIDERING, however, that the requested extension of time is excessive;

PURSUANT to Rules 54 and 126*bis* of the Rules of Procedure and Evidence,

GRANTS the Request **IN PART** in that it **ORDERS** the Župljanin Defence to file a response to the Prosecution Notice by 1 April 2009.

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

Dated this sixth day of March 2009
At The Hague
The Netherlands



Judge O-Gon Kwon
Presiding

[Seal of the Tribunal]