



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

IT-98-34-R  
D100-D99  
25 SEPTEMBER 2008

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AT

Case No.: IT-98-34-R  
Date: 25 September 2008  
Original: English

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**IN THE APPEALS CHAMBER**

**Before:** Judge Fausto Pocar, Presiding  
Judge Mohamed Shahabuddeen  
Judge Mehmet Güney  
Judge Andréia Vaz  
Judge Wolfgang Schomburg

**Registrar:** Mr. Hans Holthuis

**Order of:** 25 September 2008

**MLADEN NALETILIĆ, *a.k.a.* "TUTA"**

**v.**

**PROSECUTOR**

**PUBLIC**

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**ORDER FOR ADDITIONAL RESPONSE FROM THE PROSECUTION**

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**Office of the Prosecutor:**

Mr. Serge Brammertz

**Counsel for the Applicant:**

Mr. Gerhard Zahner

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**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 (“International Tribunal”),

**NOTING** the Judgement rendered by the Appeals Chamber in Case No. IT-98-34-A, *Prosecutor v. Mladen Naletilić, a.k.a. “Tuta”, and Vinko Martinović, a.k.a. “Štela”* on 3 May 2006;

**NOTING** the “Application for a New Hearing of the Trial” filed by Counsel for Mr. Naletilić on 1 July 2008 (“Application”);

**NOTING** the “Prosecution Response to Naletilić’s Motions for Review and ‘Examination of the Records’” filed on 29 July 2008 (“Response”);

**NOTING** that on 12 September 2008, the Registry filed the translations of several statements and certificates (“Statements”) which appear to have been sent to the International Tribunal by Counsel for Naletilić and were in the possession of the Office for Legal Aid and Detention Matters;

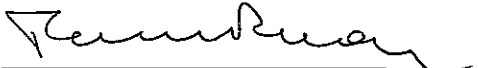
**CONSIDERING** therefore, that the Prosecution did not have the opportunity to examine these Statements at the time it filed its Response;

**FINDS** that the Prosecution should be allowed the opportunity to amend its Response and address any additional information provided in the Statements;

**ALLOWS** *proprio motu*, the Prosecution, should it wish to do so, to file an additional response to the Application within ten days of the filing of the present Order and Naletilić to reply within five days of the filing of the Prosecution’s additional response.

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

Done this 25th day of September 2008,  
At The Hague,  
The Netherlands.

  
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Judge Fausto Pocar  
Presiding

[Seal of the International Tribunal]