



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-98-29-PT
Date: 16 October 2001
Original: English
French

IN THE TRIAL CHAMBER

Before: Judge Almiro Rodrigues, Presiding
Judge Fouad Riad
Judge Patricia Wald

Registrar: Mr. Hans Holthuis

Decision of: 16 October 2001

THE PROSECUTOR

v.

STANISLAV GALIĆ

**DECISION ON THE PROSECUTOR'S REQUEST
FOR AUTHORISATION TO EXCEED THE
LENGTH LIMIT OF HER PRE-TRIAL BRIEF**

The Office of the Prosecutor:
Mr. Mark Ierace

Defence Counsel:
Ms. Mara Pilipović

TRIAL CHAMBER I (hereinafter “the 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 (hereinafter “the Tribunal”),

NOTING the Prosecutor’s Request asking the Chamber for authorisation to exceed the length limit of the pre-trial brief (hereinafter “the Brief”) filed on 15 October 2001 (hereinafter “the Request”),

NOTING the Practice Direction on the Length of Briefs and Motions dated 19 January 2001 (Document IT/184; hereinafter “the Direction”),

PURSUANT to Rules 54, 65 *bis* and 65 *ter* of the Rules of Procedure and Evidence of the Tribunal;

CONSIDERING that the Chamber set the deadline for the Prosecutor to file her Brief for 15 October 2001;

CONSIDERING that, when filing her Brief on 15 October, the Prosecutor sought to file a Request asking for authorisation from the Chamber for the Brief to exceed the length set by the Direction, paragraph 3 of which provides that “pre-trial briefs will not exceed 50 pages or 15,000 words [...]”;

CONSIDERING that the Direction stipulates that a “party must seek authorization in advance from the Chamber to exceed the page limits [set by the] Direction and must provide an explanation of the exceptional circumstances that necessitate the oversized filing”; that the provisions clearly state that a party seeking a variation must obtain it prior to filing the submission at issue; that, moreover, it is established that the Registry has grounds for refusing to file a submission which would not comply with the Direction;

CONSIDERING that the Request must therefore be dismissed;

CONSIDERING, nonetheless, that it is in the interests of justice to permit the Defence to receive a text as soon as possible so that it may finalise its own pre-trial brief under the best conditions,

FOR THE FOREGOING REASONS,

DISMISSES the Request,

ORDERS the Prosecutor to transmit forthwith the current version of her pre-trial brief to the Defence,

ORDERS the Prosecutor to file by no later than 23 October a final version of her pre-trial brief which shall not exceed 50 pages or 15,000 words in accordance with the Direction.

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

Done this sixteenth day of October 2001
At The Hague
The Netherlands

(signed)

Almiro Rodrigues
Presiding Judge
Trial Chamber I

[Seal of the Tribunal]