

NATIONS



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/184 Rev. 2
Date: 16 September 2005
Original: English

**PRACTICE DIRECTION
ON THE LENGTH OF BRIEFS
AND MOTIONS**

I. INTRODUCTION

In accordance with the Rules of Procedure and Evidence of the International Tribunal (“the Rules”), I issue this Practice Direction in order to establish a limit on the length of written briefs and motions at trial and on appeal.

(A) Paper size and format

Briefs and motions will be submitted on A4 paper. Margins will be at least 2.5 centimetres on all four sides. All filings will be paginated, excluding the cover sheet.

(B) Typeface

The typeface will be 12 point with 1.5 line spacing. An average page should contain fewer than 300 words.

(C) Length

1. Appeals from Judgement

(a) The brief of an appellant on appeal from a final judgement of a Trial Chamber will not exceed 30,000 words (12,000 where the appeal is restricted to sentencing):

(i) provided that, where the Prosecutor, as appellant, files a separate brief in respect of each appellee or a consolidated brief, the total number of words filed shall not exceed 30,000 in respect of one appellee and a further 10,000 in respect of each additional appellee;

(ii) and provided that the time-limit for filing such a consolidated brief shall run from the filing date of the last notice of appeal.

(b) The response of an appellee on an appeal from a final judgement of a Trial Chamber will not exceed 30,000 words (12,000 where the appeal is restricted to sentencing), subject to the proviso in (a) (i) applying mutatis mutandis to any brief in response filed by the Prosecutor, and provided that, the time-limit for filing a consolidated brief in response shall run from the filing date of the last appellant’s brief.

(c) The reply brief of an appellant in an appeal from a final judgement of a Trial Chamber will not exceed 9,000 words (3,000 where the appeal is restricted to sentencing):

(i) provided that, where the Prosecutor files a reply brief in respect of more than one appellee, either by filing a separate brief in respect of each appellee or a consolidated brief, the total number of words shall not exceed 9,000 in respect of one appellee and a further 3,000 in respect of each additional appellee;

ii) and provided that the time-limit for filing such a consolidated reply brief shall run from the filing date of the last appellee's response.

2. Interlocutory appeals

- (1) The brief of an appellant in an interlocutory appeal will not exceed 9,000 words.
- (2) The brief of an appellee in an interlocutory appeal will not exceed 9,000 words.
- (3) The reply brief of an appellant in an interlocutory appeal will not exceed 3,000 words.

3. Pre-trial briefs

The pre-trial briefs will not exceed 15,000 words.

4. Final trial briefs

The final trial briefs will not exceed 60,000 words.

5. Other motions, replies, and responses

Motions, responses and replies before a Chamber will not exceed 3,000 words. Where related to Rule 115 additional evidence, motions and responses shall not exceed 9,000 words, while replies shall not exceed 3,000 words. Where related to Rule 115 rebuttal material, motions and replies shall not exceed 3,000 words.

6. Materials excluded from word limits

Headings, footnotes and quotations count towards the above word limitations. Any addendum containing verbatim quotations of the International Tribunal's Statute or Rules does not count towards the word limit. Any appendix or book of authorities does not count towards the word limit. An appendix or book of authorities will not contain legal or factual arguments, but rather references, source materials, items from the record, exhibits, and other relevant, non-argumentative material. An appendix will be of reasonable length, which is normally three times the page limit for that class of motion or brief (e.g., for a brief that is limited to 30 pages by the above practice direction, the appendix should be limited to 90 pages), although it is understood that the length of appendices will naturally vary more than the length of briefs.

7. Variation from word limits

A party must seek authorization in advance from the Chamber to exceed the word limits in this Practice Direction and must provide an explanation of the exceptional circumstances that necessitate the oversized filing. Upon filing by a party of a motion for an extension of time or word limit, the pre-appeal Judge may dispose of the motion without hearing the other party, unless he/she considers that there is a risk that the other party may be prejudiced.

8. Reporting the word count

Parties shall conduct a word count of any document they file which is subject to the length limitations set forth in this Practice Direction and shall include this information in the form "Word count: ____" at the end of the document, before the signature line.

Theodor Meron
President