

UNITED
NATIONS

IT-02-60-PT
D7726-D7725
19 NOVEMBER 2002

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International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-02-60-PT
Date: 19 November 2002
Original: English

IN TRIAL CHAMBER II

Before:

**Judge Wolfgang Schomburg, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Carmel Agius**

Registrar:

Mr. Hans Holthuis

Decision of:

19 November 2002

PROSECUTOR

v.

**VIDOJE BLAGOJEVIĆ
DRAGAN OBRENOVIĆ
DRAGAN JOKIĆ
MOMIR NIKOLIĆ**

**DECISION ON PROSECUTION'S MOTION
FOR LEAVE TO AMEND THE EXHIBIT LIST**

The Office of the Prosecutor:

Mr. Peter McCloskey

Counsel for the Accused:

Mr. Michael Karnavas, Ms Suzana Tomanović for Vidoje Blagojević
Mr. David Wilson, Mr Dušan Slijepčević, for Dragan Obrenović
Mr. Miodrag Stojanović, Ms. Cynthia Sinatra for Dragan Jokić
Mr. Veselin Londrović, Mr. Stefan Kirsch for Momir Nikolić

TRIAL CHAMBER II ("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 ("International Tribunal"),

BEING SEISED OF the confidential "Prosecution's Motion for Leave to Amended Exhibit List" ("Motion"), filed on 14 November 2002 pursuant to Rule 73 of the Rules of Evidence and Procedure of the International Tribunal ("Rules"), in which the Office of the Prosecutor ("Prosecution") seeks leave to amend its exhibit list of 1 November 2002 ("Exhibit List") to include reference to intercepted radio and telephone communications ("intercepts"),

NOTING that the intercepts that the Prosecution seeks to add to the Exhibit List had been disclosed to the defence counsel for all accused in this case prior to the filing of the Exhibit List,


NOTING that the Prosecution contends that it had intended to include the intercepts as a component of the Exhibit List, but the intercepts were "inadvertently omitted" from the Exhibit List,

CONSIDERING that no accused in this case can be said to suffer any prejudice by the addition of the intercepts to the Exhibit List, as the materials were previously disclosed to all defence counsel,

PURSUANT to Rules 65 *ter* and 73 of the Rules,

GRANTS the Prosecution Motion and **ORDERS** the Prosecution to file an Amended Proposed Exhibit List forthwith,

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



Judge Wolfgang Schomburg
Presiding

Dated this nineteenth day of November 2002,
At The Hague
The Netherlands

[Seal of the Tribunal]