

IT-03-68-PT  
D1724 - D1723  
16 July 2003.

1724 AT

**THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA**

**Case No. IT-03-68-PT**

**IN TRIAL CHAMBER III**

**Before:** Judge Richard May, Presiding  
Judge Patrick Robinson  
Judge O-Gon Kwon

**Registrar:** Mr. Hans Holthuis

**Date filed:** 16 July 2003

**THE PROSECUTOR**

**v.**

**NASER ORIĆ**

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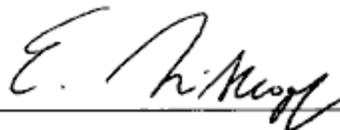
**SUBMISSION OF AMENDED INDICTMENT**

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The Office of the Prosecutor:  
Mr. Ekkehard Withopf  
Mr. Jayantha Jayasuriya

Counsel for the Accused:  
Ms. Vasvija Vidović  
Mr. John Jones

1. On 28 March 2003, the Indictment against Naser Orić was confirmed by the reviewing Judge.<sup>1</sup>
2. On 22 May 2003, the Defence filed the Preliminary Motion Regarding Defects in the Form of the Indictment.<sup>2</sup> The Defence in its Motion raised several objections to the form of the Indictment under eleven headings. By its Motion, the Defence requested the Trial Chamber either to order the Prosecution to amend the Indictment and rectify those alleged defects in the Indictment or to strike out the Indictment on the ground of abuse of process.
3. On 4 June 2003, the Prosecution filed its Response.<sup>3</sup> The Prosecution in its Response submitted that all those Defence objections should fail. However, to avoid any perceived ambiguity, the Prosecution proposed to amend two paragraphs in the Indictment,<sup>4</sup> should the Trial Chamber so order.<sup>5</sup>
4. On 3 July 2003, the Trial Chamber issued the "Decision on Preliminary Motion Regarding Defects in the Form of the Indictment".<sup>6</sup> The Trial Chamber while dismissing the Defence Motion ordered the Prosecution to file an Amended Indictment containing the proposed amendments within thirty days from its Decision.
5. The Prosecution herewith submits the Amended Indictment in compliance with the said Order of the Trial Chamber.



Ekkehard Withopf  
Acting Senior Trial Attorney

Dated this 16<sup>th</sup> day of July 2003  
At The Hague,  
The Netherlands

<sup>1</sup> *Prosecutor v Naser Orić*, Case No. IT-03-68-I, "Confirmation of Indictment and Order for Non-Disclosure", 28 March 2003.

<sup>2</sup> Hereafter referred to as "the Motion".

<sup>3</sup> Hereafter referred to as "the Response".

<sup>4</sup> Paragraphs 21 and 36 of the Indictment.

<sup>5</sup> Paragraphs 27 and 35 of the Response.

<sup>6</sup> Hereafter referred to as "the Decision".