



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-05-88-T
Date: 8 May 2008
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge O-Gon Kwon
Judge Kimberly Prost
Judge Ole Bjørn Støle – Reserve Judge

Registrar: Mr. Hans Holthuis

Decision of: 8 May 2008

PROSECUTOR

v.

**VUJADIN POPOVIĆ
LJUBIŠA BEARA
DRAGO NIKOLIĆ
LJUBOMIR BOROVIČANIN
RADIVOJE MILETIĆ
MILAN GVERO
VINKO PANDUREVIĆ**

PUBLIC

**DECISION ON EXTENSION OF TIME TO FILE ONE EXPERT REPORT
AND ENGLISH TRANSLATIONS OF FOUR EXPERT REPORTS**

Office of the Prosecutor

Mr. Peter McCloskey

Counsel for the Accused

Mr. Zoran Živanović and Ms. Mira Tapušковиć for Vujadin Popović
Mr. John Ostojić and Mr. Christopher Meek for Ljubiša Beara
Ms. Jelena Nikolić and Mr. Stéphane Bourgon for Drago Nikolić
Mr. Aleksandar Lazarević and Mr. Christopher Gosnell for Ljubomir Borovčanin
Ms. Natacha Fauveau Ivanović and Mr. Nenad Petrušić for Radivoje Miletić
Mr. Dragan Krgović and Mr. David Josse for Milan Gvero
Mr. Peter Haynes and Mr. Đorđe Sarapa for Vinko Pandurević

THIS TRIAL 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;

BEING SEISED OF “Vujadin Popović’s Request for an Extension of Time to File the Expert Report of Mr. Miladin Kovačević”, filed on 1 May 2008 (“Popović Request”), in which Popović requests an extension of time until 14 May 2008 to file Mr. Miladin Kovačević’s expert report on statistics and demography (“Kovačević Report”);¹

ALSO BEING SEISED OF two respective requests filed on 1 May 2008, in which Beara, Nikolić, and Pandurević request an extension of time until 15 May 2008 to file the English translation of the expert report of Professor Svetlana Radovanović (“Radovanović Report”) (“Beara, Nikolić, and Pandurević Request”);² and Popović requests an extension of time to file the English translation of the expert report of Professor Dušan J. Dunjić (“Dunjić Report”) “three days after the Defence receives it from [...] CLSS” (“Second Popović Request”);³

NOTING the “Notice of Disclosure of the Expert Witness Report of Professor Ljubomir Gogić by Ljubiša Beara Pursuant to Rule 94 *bis*” and the “Notice of Disclosure of the Expert Witness Report of Professor Dr. Slobodan Remetić by Ljubiša Beara Pursuant to Rule 94 *bis*”, filed on 1 May 2008 (“Gogić and Remetić Reports”), by which Beara only submitted the two expert reports in BCS and states his intent to submit the two expert reports for translation into English;

NOTING the “Response to Defence Requests for Extensions to File English Translations of Non-Military Expert Reports and to Popović Request for Extension to File Demographic Report”, filed on 5 May 2008 (“Response”), in which the Prosecution does not oppose the Popović Request for an

¹ Popović Request, pp. 1, 4. Mr. Miladin Kovačević is a joint expert witness for Popović and Pandurević. See Submission Pursuant to Rule 65 *ter* filed on Behalf of the Accused Vinko Pandurević, filed partly confidentially on 1 May 2008.

² Joint Notice of Disclosure of an Expert Witness Report Pursuant to Rule 94 *bis* – Demographic Expert – and Request for an Extension of Time for the Filing of the English Translation of the Report, filed partly confidentially by Beara, Nikolić, and Pandurević on 1 May 2008, in which the three Accused request an extension of time for the filing of the English version of the expert report of Professor Svetlana Radovanović until 15 May 2008 due to impossibility for CLSS to complete the English translation of the report which was submitted for translation on 8 April 2008.

³ Vujadin Popović’s Notice Pursuant to Rule 94 *bis* Concerning the Expert Report of Dr. Dušan J. Dunjić and Request for an Extension of Time to File the English Translation”, filed on 1 May 2008. Professor Dušan J. Dunjić is a joint expert witness for Popović and Beara. See Notice of the Accused Ljubiša Beara’s Intent to Incorporate the Expert Report of Dr. Dušan Djunjić filed by the co-Accused Pursuant to Rule 94 *bis*, filed on 1 May 2008.

extension of time until 14 May 2008,⁵ and a delayed filing of the English translations of the four expert reports if the English translations are filed no later than 15 May 2008;⁶

NOTING the Trial Chamber's oral order rendered on 13 December 2007 which amended the "Order on Close of Prosecution Case-in-Chief, Rule 98 *bis* Proceedings, Defence Rule 65 *ter* filings, Pre-Defence Conference and Commencement of the Defence Case" filed on 29 November 2007, in which each Accused was ordered to serve upon the Prosecution and the Trial Chamber expert reports by 30 April 2008;⁷

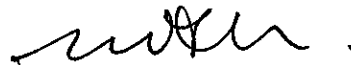
CONSIDERING that the Prosecution does not object to the Popović Request and a delayed filing of the four expert reports if the English translations are filed no later than 15 May 2008;

PURSUANT TO Rule 54 of the Rules,

HEREBY GRANTS the Popović Request and the Beara, Nikolić, and Pandurević Request, **PARTLY GRANTS** the Second Popović Request and **ORDERS** as follows:

1. The Kovačević Report shall be filed no later than 14 May 2008;
2. The English translations of the Radovanović Report, the Dunjić Report and the Gogić and Remetić Reports shall be filed no later than 15 May 2008.

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



Carmel Agius
Presiding

Dated this eight day of May 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

⁵ Response, para. 3. The Prosecution however notes that it takes issue with Popović's reason for the request.

⁶ Response, paras. 1 and 2.

⁷ T. 19253–19254 (13 December 2007).