



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-03-69-PT
Date: 20 August 2008
Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. Hans Holthuis

Decision: 20 August 2008

PROSECUTOR

v.

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

PUBLIC

**DECISION ON PROSECUTION MOTION FOR
EXTENSION OF DEADLINE TO FILE STATEMENT
AND REPORT**

The Office of the Prosecutor:

Mr. Dermot Groome
Ms. Doris Brehmeier-Metz
Mr. John Docherty
Mr. Gregory Townsend

Counsel for the Accused:

Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash for Jovica Stanišić
Mr. Zoran Jovanović and Mr. Vladimir Domazet for Franko Simatović

TRIAL CHAMBER III (“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 (“Tribunal”);

BEING SEISED of the “Prosecution Motion for Extension of Deadline to File Statement and Report” filed on 15 August 2008 (“Motion”), wherein the Prosecution requests an extension of time - “to no later than 20 September 2008”¹ - in which to file a statement and report by one of its expert witnesses, Mr. Amor Mašović, the director of the Bosnia Herzegovina State Commission for Tracing Missing Persons;²

RECALLING its “Decision on Prosecution Motion to Substitute Two Witnesses and on Motion to Add Witness Radić” issued on 18 June 2008 (“18 June Decision”), in which the Trial Chamber ordered, *inter alia*, that the Prosecution “file the full statement and/or report of Amor Mašović [...] pursuant to Rule 94 *bis* before 18 August 2008”;³

NOTING the Prosecution’s submission that Mr. Mašović has communicated his inability to comply with the deadline set in the 18 June Decision due to: (1) a shortage of staff at the Institute for Missing Persons at this time; (2) the ongoing reorganisation of the Institute, and (3) his obligation to submit a report for another ongoing case at the Tribunal, specifically, *Prosecutor v. Milan Lukić and Sredoje Lukić*;⁴

NOTING further the “Defence Response to Two Prosecution Motions for Extension of Deadline to File Statements and Reports with Annexes” filed 19 August 2008, wherein the Defence for Jovica Stanišić requested that the Trial Chamber “ensure that the Defence be given adequate time to investigate and prepare for these two witnesses”;⁵

¹ Prosecution Motion for Extension of Deadline to File Statement and Report, 15 August 2008 (“Motion”), para. 4.

² *Ibid.* paras 1 and 4.

³ Decision on Prosecution Motion to Substitute Two Witnesses and on Motion to Add Witness Radić, 18 June 2008, p. 8.


⁴ Motion, para. 2.

⁵ Defence Response to Two Prosecution Motions for Extension of Deadline to File Statements and Reports with Annexes, 19 August 2008, para. 4.

FOR THE FOREGOING REASONS,

HEREBY GRANTS the Motion, and **ORDERS** that the Prosecution file the statement and/or report of Amor Mašović, pursuant to Rule 94 *bis* of the Rules of Procedure and Evidence, no later than 20 September 2008.

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



Judge Patrick Robinson
Presiding

Dated this twentieth day of August 2008
At The Hague
The Netherlands

[Seal of the Tribunal]