



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: 9 October 2008
Original: English

IN TRIAL CHAMBER III

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

Registrar: Mr. Hans Holthuis

Decision: 9 October 2008

PROSECUTOR

v.

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

PUBLIC

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

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 Submission of Preliminary Expert Report of Anna-Marie Radić and Motion for Further Extension” filed on 19 September 2008 (“Motion”), wherein the Prosecution requests an additional extension of two weeks in which to file a statement and report by one of its expert witnesses, Ms. Anna-Marie Radić, on the issue of displaced persons and refugees,¹

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 Anna-Marie Radić [...] pursuant to Rule 94 *bis* before 18 August 2008”,²

RECALLING its “Decision on Prosecution Motion for Extension of Deadline to File Statement and Report with Annexes” filed on 20 August 2008 in which the Trial Chamber granted an extension of time for filing of the statements and reports of Ms. Radić to no later than 20 September 2008 (“20 August Decision”),

NOTING the Prosecution’s submission that Ms Radić has informed the Prosecution that she is still unable to meet the deadline set in the 20 August Decision and that she has explained that she is working on accession negotiations with the European Commission and as such she has requested additional time to complete the report,

NOTING further that the Prosecution has disclosed to the defence a copy of a preliminary report by Ms. Radić and that a draft English translation of that report will be provided “next week”, i.e., by 26 September 2008,

NOTING also 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”,³

¹ Prosecution Submission of Preliminary Expert Report of Anna-Maria Radić and Motion for Further Extension with Confidential Annex, filed 22 September 2008.

² Decision on Prosecution Motion to Substitute Two Witnesses and on Motion to Add Witness Radić, 18 June 2008, p. 8.

³ 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** the to Prosecution file the final statement and reports of Anne-Marie Radić, pursuant to Rule 94 *bis* of the Rules of Procedure and Evidence, with English translations, no later than Thursday 23 October 2008. No further extensions of time are envisaged.

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



Judge Patrick Robinson
Presiding

Dated this ninth day of October 2008
At The Hague
The Netherlands

[Seal of the Tribunal]