



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-00-39 & 40-PT

Date: 16 October 2002

Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Order of: 16 October 2002

PROSECUTOR

v.

**MOMČILO KRAJIŠNIK
&
BILJANA PLAVŠIĆ**

**DECISION ON MOTION FOR LEAVE
TO ADD EXPERT WITNESS TO LIST OF WITNESSES**

The Office of the Prosecutor:

Mr. Mark Harmon
Mr. Alan Tieger

Counsel for the Accused:

Mr. Deyan Brashich and Mr. Nikola Kostich, for Momčilo Krajišnik
Mr. Robert J. Pavich, Mr. Eugene O'Sullivan and Mr. Peter Murphy, for Biljana Plavšić

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 (“the International Tribunal”),

BEING SEISED of a “Motion for Leave to Add Expert Witness to List of Witnesses” filed by the Office of the Prosecutor (“Prosecution”) on 30 July 2002, (“the Motion”), seeking permission to add Dr. John Clark, forensic pathologist to the list of witnesses filed on 2 May 2002 pursuant to Rule 65 *ter* (E)(ii) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”),

NOTING that the report of Dr. Clark was filed and disclosed to the defence on 30 July 2002 in accordance with the “Decision on Defence Motion to Exclude Evidence and Limit Scope of Trial” issued by the Trial Chamber of 18 June 2002,

NOTING that the time for responses from the defence has passed and that no objection has been raised to the addition of Dr. Clark to the witness list,

CONSIDERING that the addition of Dr. Clark to the witness list will not prejudice the defence and that the overall number of witnesses is a matter to be addressed at the pre-trial conference to be held on 14 November 2002, pursuant to Rule 73 *bis* of the Rules,

PURSUANT TO Rules 54 and 73 *bis* of the Rules

HEREBY GRANTS the Motion, subject to the final determination as to the witness lists to be made at the pre-trial conference.

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



Richard May
Presiding

Dated this sixteenth day of October 2002
At The Hague
The Netherlands

[Seal of the Tribunal]