



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-00-39-PT
Date: 10th January 2003
Original: English

THE TRIAL CHAMBER

Before: Judge Liu Daqun
Judge Amin El Mahdi, Presiding
Judge Alphons Orié

Registrar: Mr. Hans Holthuis

Decision of: 10th January 2003

PROSECUTOR

v.

MOMČILO KRAJIŠNIK

**DECISION ON THE PROSECUTION'S REQUEST FOR
FURTHER TIME TO SUBMIT ITS REVISED WITNESS LIST**

The Office of the Prosecutor:

Mr. Mark Harmon

Counsel for the Accused:

Mr. Deyan Ranko Braschich
Mr. Nikola Kostich

TRIAL CHAMBER I, (“the 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 Tribunal”);

BEING SEIZED, only yesterday, of the Prosecutor’s Request of 8 January 2003 for Further Time to File Revised Witness List and for Variation of Scheduling Order (“the Request”), in which the Prosecution seeks an extension under Rule 127(A) of the Rules of Procedure and Evidence (“the Rules”) by ten days of the time limit for submission of its revised witness list, and furthermore applies for a variation to the Pre-Trial Chamber’s scheduling Order of 25 November 2002 (“the Order”) in order to allow the Prosecution to select its witnesses independently of the numbers for individual categories set down in Annex A to the Order;

RECALLING that the time-limit for the Prosecution’s submission of its revised witness list set out in the Pre-Trial Chamber’s Scheduling Order of 25 November 2002 expires today;

BEING MINDFUL that an extension of the time-limit for the Prosecution’s submission of its list of witnesses may cause a delay of the trial contrary to the right of the Accused to an expeditious trial;

TAKING INTO CONSIDERATION, however, that the Chamber has not yet responded to the Prosecution’s Motion of 7 November 2002 for Judicial Notice of Adjudicated Facts and that the Prosecution’s selection of witnesses largely depends on the Chamber’s decision on that matter and that the application for a variation to the Pre-Trial Chamber’s scheduling Order of 25 November 2002 is interlinked with the decision on the extension on the time limit;

FINDING, therefore, that a time limit for submission of the Prosecution’s revised list of witnesses is unwarranted until such time when the Chamber has identified and adjudicated the relevant facts in this case, at which point the Chamber will set a time limit for the Prosecution’s submission of its revised list of witnesses;

PURSUANT to Rule 54 of the Rules;

FOR ALL OF THE ABOVE REASONS,

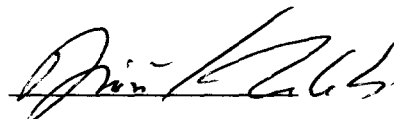
HEREBY ORDERS a suspension of the time limit set out in the Order and stays the decision on the application for a variation to the Pre-Trial Chamber's scheduling Order.

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

Dated this tenth day of January 2003,

At The Hague,

The Netherlands



Judge Amin El Mahdi

Presiding Judge

(Seal of the Tribunal)