



**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-03-66-PT

Date: 25th March 2003

Original: English

BEFORE THE TRIAL CHAMBER

**Before: Judge Liu Daqun, Presiding
Judge Mohamed El Mahdi
Judge Alphonsus Orié**

Registrar: Mr. Hans Holthuis

Order of: 25th March 2003

PROSECUTOR

v.

**Fatmir LIMAJ, a.k.a. Çeliku
Haradin BALA, a.k.a. Shala
Isak MUSLIU, a.k.a. Qerqiz**

DECISION TO GRANT LEAVE TO AMEND THE INDICTMENT

The Office of the Prosecutor:

Andrew Cayley
Alex Whiting

Counsel for the Accused:

Karim Khan for Fatmir Limaj
Peter Murphy for Haradin Bala
Steven Powles for Isak Musliu
Stéphane Bourgon for Agim Murtezi

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 OF a Motion to Amend the Indictment filed by the Prosecution on 7th March 2003 (“the Motion”), in which the Prosecution seeks leave to amend the Indictment of 27th January 2003 against Fatmir Limaj and others (“the Indictment”) in order to reflect that Mr. **Agim Murtezi** is no longer covered thereby;

NOTING that the Prosecution, after Mr. **Agim Murtezi** was arrested in Kosovo on 17th February 2003 and brought to the Tribunal on the following day, had been convinced that Mr. **Agim Murtezi** was not the perpetrator of the crimes alleged in the Indictment;

NOTING the Chamber’s Order of 28th February 2003 to Withdraw the Indictment Against **Agim Murtezi** and Order for His Immediate Release, in which the Chamber ordered the Prosecution to file an amended indictment within seven days;

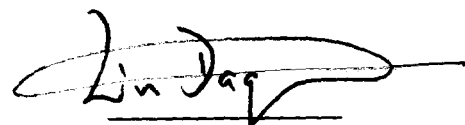
NOTING that the Chamber has not received any objections from the Parties in this case against amendment of the Indictment as proposed by the Prosecution within the time limit set out in Rule 126*bis* of the Tribunal’s Rules of Procedure and Evidence (“the Rules”);

PURSUANT to Rule 50(A)(i)(c) of the Rules;

HEREBY GRANTS the Motion.

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

Dated this twenty fifth day of March 2003,
At The Hague,
The Netherlands



Judge Liu Daqun
Presiding Judge

[Seal of the Tribunal]