



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-02-54-T
Date: 9 September 2003
Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Decision of: 9 September 2003

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON PROSECUTION'S APPLICATION FOR ADMISSION OF WRITTEN
STATEMENT OF DR. BERKO ZEČEVIĆ PURSUANT TO RULE 92 *BIS* (A)**

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice
Mr. Dermot Groome

The Accused

Slobodan Milošević

Amici Curiae

Mr. Steven Kay, QC
Mr. Branislav Tapušković
Mr. Timothy L.H. McCormack

Case No. IT-02-54-T

9 September 2003

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 (“International Tribunal”),

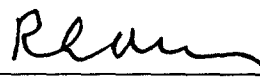
BEING SEISED OF the “Prosecution’s Application for Admission of Written Statement of Dr. Berko Zečević Pursuant to Rule 92 bis (A)”, filed on 27 August 2003 (“Motion”), in which the Prosecution seeks to admit the written statement of the named expert pursuant to the Rule 92 *bis* (A) of the Rules of Procedure and Evidence (“Rules”) with the witness appearing for cross-examination,

CONSIDERING that the witness is an expert and therefore the proper procedure to be followed in calling his evidence is set out under Rule 94 *bis*,

PURSUANT TO Rules 54, 92 *bis* and 94 *bis* of the Rules,

HEREBY DENIES the Motion.

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



Richard May
Presiding

Dated this ninth day of September 2003
At The Hague
The Netherlands

[Seal of the Tribunal]