



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-98-29/1-T

Date: 3 April 2007

Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Antoine Kesia-Mbe Mindua
Judge Frederik Harhoff

Registrar: Mr. Hans Holthuis

Decision of: 3 April 2007

PROSECUTOR

v.

DRAGOMIR MILOŠEVIĆ

**DECISION ON PROSECUTION NOTICE OF RULE 94
BIS DISCLOSURE OF EXPERT REPORT OF BERKO
ZEČEVIĆ**

The Office of the Prosecutor:

Mr. Alex Whiting
Mr. Stefan Waespi
Ms. Carolyn Edgerton
Mr. John Docherty

Counsel for the Accused:

Mr. Branislav Tapušковиć
Ms. Branislava Isailović

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’s Notice of Rule 94 *bis* Disclosure of Expert Report Berko Zečević”, filed on 28 February 2007 (“Report”);

NOTING the “Defence Response following Disclosure of the Expert Report of Berko Zečević”, filed 28 March 2007 in which the Defence states that it wants to cross-examine the expert;

NOTING that the Prosecution has provided the Trial Chamber with a version of the Report in the Bosnian/Croatian/Serb language and that the Trial Chamber therefore is unable, at this moment, to determine the admissibility of the Report or the expertise of the witness;

CONSIDERING that the Defence indicated that it wants to cross-examine this witness, the Trial Chamber finds it in the interest of an expeditious trial not to wait until an English version of the Report is provided;

THEREFORE DEFERS its decision on the admissibility of the Report and the expertise of the witness until such time the witness appears for cross-examination; and

ORDERS the Prosecution to provide the English translation of the Report no later than five days before the witness is scheduled to appear before this Trial Chamber.

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



Judge Patrick Robinson
Presiding

Dated this third day of April 2007

At The Hague

The Netherlands

[Seal of the Tribunal]