



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-03-69-PT
Date: 20 August 2008
Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. Hans Holthuis

Decision: 20 August 2008

PROSECUTOR

v.

**JOVICA STANIŠIĆ
AND
FRANKO SIMATOVIĆ**

PUBLIC

**DECISION ON PROSECUTION MOTION FOR
EXTENSION OF DEADLINE TO FILE STATEMENT
AND REPORT WITH ANNEXES**

The Office of the Prosecutor:

Mr. Dermot Groome
Ms. Doris Brehmeier-Metz
Mr. John Docherty
Mr. Gregory Townsend

Counsel for the Accused:

Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash for Jovica Stanišić
Mr. Zoran Jovanović and Mr. Vladimir Domazet for Franko Simatović

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 Motion for Extension of Deadline to File Statements and Reports with Annex” filed 7 August 2008 (“Motion”), wherein the Prosecution requests an extension of time – “to 20 September 2008”¹ – in which to file the statements and reports of two of its expert witnesses, namely: (1) Ms. Višnja Bilić, an employee of the Croatia Administration for Detained and Missing Persons, and (2) Ms. Anna-Maria Radić, who was identified and authorised by the Republic of Croatia on 18 March 2008 as a suitable expert to testify on displaced persons and refugees;²

RECALLING its “Decision on Prosecution Motion to Substitute Two Witnesses and on Motion to Add Witness Radić” issued on 18 June 2008 (“18 June Decision”) in which the Trial Chamber ordered, *inter alia*, that the Prosecution file “the full statement and/or report of [...] Višnja Bilić and Anna Maria Radić pursuant to Rule 94 *bis* before 18 August 2008”;³

NOTING the Prosecution’s submission that Ms. Višnja Bilić has indicated her inability to comply with the deadline set in the 18 June Decision, due to the fact that: (1) the volume of data involved in the report will take a significant amount of time to process, and (2) there has been a shortage of staff available during the summer holiday season to assist Ms. Bilić with her duties;⁴

NOTING the Prosecution’s submission that Ms. Anna-Marie Radić has communicated her inability to comply with the aforementioned deadline due to the “new commitments and [...] increased workload” resulting from her recent appointment as Head of the Directorate for Areas of Special State Concern of the Croatian Ministry of Regional Development, Forestry and Water Management in early June 2008;⁵

NOTING also the Prosecution’s submission that both witnesses are currently engaged in preparing statements and reports for another ongoing case before the Tribunal, specifically, *Prosecutor v. Vojislav Šešelj* - the deadlines for which are set in early August 2008;⁶

¹ Prosecution Motion for Extension of Deadline to File Statements and Reports with Annex, 7 August 2008 (“Motion”), para. 5.

² *Ibid.* paras 1 and 5.

³ Decision on Prosecution Motion to Substitute Two Witnesses and on Motion to Add Witness Radić, p. 8.

⁴ Motion, para. 2.

⁵ *Ibid.* para. 3.

⁶ *Ibid.* paras 2 and 3.

NOTING further the “Defence Response to Two Prosecution Motions for Extension of Deadline to File Statements and Reports with Annexes” filed 19 August 2008, wherein the Defence for Jovica Stanišić requested that the Trial Chamber “ensure that the Defence be given adequate time to investigate and prepare for these two witnesses”;⁷

FOR THE FOREGOING REASONS,

HEREBY GRANTS the Motion, and **ORDERS** that the Prosecution file the statements and/or reports of Ms. Višnja Bilić and Ms. Anna-Maria Radić, pursuant to Rule 94 *bis* of the Rules of Procedure and Evidence, no later than 20 September 2008.

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



Judge Patrick Robinson
Presiding

Dated this twentieth day of August 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

⁷ Defence Response to Two Prosecution Motions for Extension of Deadline to File Statements and Reports with Annexes, 19 August 2008, para. 4.