



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-95-5/18-T

Date: 23 August 2012

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Decision of: 23 August 2012

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON ACCUSED'S MOTIONS FOR EXTENSION OF TIME FOR FILING OF
EXPERT REPORTS**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby Counsel

Mr. Richard Harvey

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 (“Tribunal”) is seised of the “Motion for Extension of Time: Expert Report of Dr. Oliver Stojković” filed on 10 August 2012 (“Stojković Motion”) and of the “Motion for Extension of Time: Expert Report of General Radovan Radinović” filed on 17 August 2012 (“Radinović Motion”), and hereby issues its decision thereon.

1. On 26 April 2012, the Chamber issued a “Scheduling Order on Close of the Prosecution Case, Rule 98 *bis* Submissions, and Start of the Defence Case” (“Scheduling Order”), in which it ordered that the Accused file a list of expert witnesses he intends to call during his Defence case and serve upon the Prosecution and the Chamber copies of the *curriculum vitae* and reports of these expert witnesses no later than 27 August 2012.¹

2. In the Stojković Motion, the Accused submits that the International Commission for Missing Persons (“ICMP”) has not yet disclosed all the random samples the Accused had requested to test its work.² While the Accused has not yet decided whether he will ultimately call Stojković as an expert witness to review the results of the DNA comparisons performed by the ICMP, he wishes to maintain the right to call him.³ The Accused thus requests that the deadline for Stojković be extended until 31 December 2012.⁴

3. In the Radinović Motion, the Accused seeks an extension of time of the 27 August deadline set by the Chamber until 27 September 2012.⁵ The Accused contends that Radinović, who has been tasked with writing a report concerning the relationship between the President of the Republika Srpska and the VRS, will need additional information from the trial record in order to complete his report.⁶

4. Having been ordered to file expedited responses,⁷ the Prosecution filed the “Prosecution Response to Motion for Extension of Time: Expert Report of Dr. Oliver Stojković” on 22 August 2012, not opposing the Stojković Motion but noting that the arguments set forth therein do not justify an extension of time. On the same day, the Prosecution filed the “Prosecution Response to

¹ Scheduling Order, para. 24.

² Stojković Motion, paras. 4, 8.

³ Stojković Motion, para. 5.

⁴ Stojković Motion, para. 6. The Chamber notes that it refers to the sixth paragraph which is incorrectly identified as paragraph 4 in the Stojković Motion.

⁵ Radinović Motion, para. 4.

⁶ Radinović Motion, paras. 3, 5.

⁷ The Chamber ordered the Prosecution to file an expedited response to the Stojković Motion and the Radinović Motion no later than 22 August 2012. This was communicated *via* email to the Prosecution on 22 August 2012.

Motion for Extension of Time: Expert Report of General Radovan Radinović”, not opposing the Radinović Motion.

5. The Chamber notes that there is no indication that the relief requested in the Stojković Motion and the Radinović Motion would have an impact on the expeditious conduct of the trial. The Chamber therefore considers that the relief sought therein may be granted.

Disposition

6. Accordingly, the Chamber, pursuant to Rule 54 of the Rules, hereby **GRANTS** the Stojković Motion and the Radinović Motion and **ORDERS** that

- (a) the Accused shall file the Stojković expert report no later than 31 December 2012; and
(a) the Accused shall file the Radinović expert report no later than 27 September 2012.

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



Judge O-Gon Kwon
Presiding

Dated this twenty-third day of August 2012
At The Hague
The Netherlands

[Seal of the Tribunal]