

UNITED
NATIONS

IT-95-14-A
A23472 - A23471
28 July 2004

23472
AT



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-95-14-A
Date: 28 July 2004
Original: English

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Mehmet Güney
Judge Wolfgang Schomburg
Judge Inés Mónica Weinberg de Roca

Registrar: Mr. Hans Holthuis

Decision: 28 July 2004

PROSECUTOR

v.

TIHOMIR BLAŠKIĆ

CONFIDENTIAL

**DECISION ON "PROSECUTION'S URGENT MOTION FOR
THE ADMISSION OF REBUTTAL EVIDENCE"**

The Office of the Prosecutor:

Mr. Norman Farrell

Counsel for the Accused:

Mr. Russell Hayman
Mr. Anto Nobile

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THE APPEALS 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,

BEING SEISED OF the “Prosecution’s Urgent Motion for the Admission of Rebuttal Evidence”, filed confidentially by the Office of the Prosecutor (“Prosecution”) on 27 July 2004 (“Motion”), in which the Prosecution asks the Appeals Chamber to admit a report by Paško Ljubičić, dated 26 November 1993, concerning the activities of the HVO Military Police in Central Bosnia throughout 1993 (“Report”);


NOTING that the Motion is limited to the Report;

CONSIDERING that the Report is in part repetitive to evidence that is already before the Appeals Chamber, and is in part vague, unspecific and merely the expression of an isolated opinion;

CONSIDERING that the Appellant Tihomir Blaškić is not prejudiced by the fact that he was not given a deadline to respond to the Motion;

HEREBY REJECTS the Motion.

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



Judge Fausto Pocar
Presiding

Dated this twenty-eighth day of July 2004,
At The Hague,
The Netherlands.

[Seal of the Tribunal]