



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-04-81-PT
Date: 28 March 2007
Original: English

IN THE TRIAL CHAMBER

Before: Judge Patrick Robinson, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Decision of: 28 March 2007

PROSECUTOR

v.

MOMČILO PERIŠIĆ

**DECISION ON PROSECUTION'S APPLICATION TO REPLACE WITNESS
LIST AND SUMMARIES FILED PURSUANT TO RULE 65 TER (E)**

The Office of the Prosecutor:

Mr. Mark Harmon
Ms. Susan Somers

Counsel for Momčilo Perišić:

Mr. James Castle

I, Patrick Robinson, Judge 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 SEIZED of the “Prosecution’s application to replace witness list and summaries filed pursuant to Rule 65 *ter* (E) and corrigenda,” filed on 1 March 2007 (“Application”), whereby the Prosecution submits corrigenda to its pre-trial brief and seeks leave of the Trial Chamber to substitute the witness summaries attached to the Prosecution witness list filed on 23 February 2007 pursuant to Rule 65 *ter* (E) (ii) of the Rules of Procedure and Evidence (“Rules”) with the witness summaries attached to the Application,

NOTING that Counsel for the Accused Momčilo Perišić has not filed an objection to the Application,

CONSIDERING that the witness summaries attached to the Application remedy certain clerical and factual errors that were contained in the witness summaries filed on 23 February 2007,

CONSIDERING that it is in the interest of justice for the witness summaries attached to the Prosecution witness list to be as accurate and precise as possible,

PURSUANT TO Rules 54 and 65 *ter* of the Rules of Procedure and Evidence,

HEREBY GRANT the Application and **AUTHORIZE** the Prosecution to substitute the witness summaries attached to the Prosecution witness list of 23 February 2007 with the witness summaries attached to the Application.

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



Patrick Robinson
Pre-Trial Judge

Dated this twenty-eighth day of March 2007
At The Hague
The Netherlands

[Seal of the Tribunal]