



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: 17 July 2008

Original: English

**IN TRIAL CHAMBER III**

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

**Registrar:** Mr. Hans Holthuis

**Decision of:** 17 July 2008

**PROSECUTOR**

**v.**

**JOVICA STANIŠIĆ  
AND  
FRANKO SIMATOVIĆ**

***PUBLIC***

**CLARIFICATION REGARDING PROSECUTION  
RULE 65 TER EXHIBIT LIST (CATEGORY 8)**

**The Office of the Prosecutor**

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

**Counsel for the Accused**

Mr. Geert-Jan Alexander Knoop 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”);

**NOTING** that in its motion of 26 February 2008, the Prosecution sought leave to add to its exhibit list a spreadsheet containing a compilation of 28 reports from the DB archives (“Category 8 documents”);<sup>1</sup>

**NOTING** that on 8 May 2008 the Trial Chamber denied, without prejudice, the Prosecution’s request to add this spreadsheet to its exhibit list;<sup>2</sup>

**NOTING** that the spreadsheet and 20 underlying reports have now been listed on the Revised Rule 65 *ter* Exhibit List filed confidentially on 16 May 2008;<sup>3</sup>

**NOTING**, however, that the Prosecution did not seek leave to add these documents to its exhibit list after the Trial Chamber denied, without prejudice, the addition of the spreadsheet on 8 May 2008;

**NOTING**, therefore, that leave to add these documents to the Prosecution’s exhibit list has not been granted by the Trial Chamber;

**CONSIDERING** that these documents will not be part of the Prosecution’s exhibit list until such leave has been granted by the Trial Chamber;

---

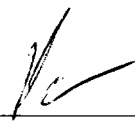
<sup>1</sup> Prosecution Motion for Leave to Amend its Rule 65 *ter* Exhibit List with Confidential Annex, filed confidentially on 26 February 2008.

<sup>2</sup> Decision on Prosecution Motion for Leave to Amend its Rule 65 *ter* Exhibit List, 8 May 2008, para. 47.

<sup>3</sup> Prosecution’s Submission of its Rule 65 *ter* Exhibit List in Compliance with the Trial Chamber’s Decision of 8 May 2008 with Confidential Annex, partly confidential, 16 May 2008, documents appearing as entries 4802 (spreadsheet) and 4841-4860 (underlying reports).

**FOR THE FOREGOING REASONS**, the Trial Chamber clarifies that the spreadsheet and the 20 underlying reports are not considered to be included in the Prosecution's exhibit list.

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



---

Judge Patrick Robinson  
Presiding

Dated this seventeenth day of July 2008

At The Hague

The Netherlands

**[Seal of the Tribunal]**