

IT-06-90-T
D 21467 - D 21466
06 March 2009

21467 HB.



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-06-90-T
Date: 6 March 2009
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Uldis Kinis
Judge Elizabeth Gwaunza

Acting Registrar: Mr John Hocking

Decision of: 6 March 2009

PROSECUTOR

v.

ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ

PUBLIC

**Decision on Additions of Documents to the Prosecution's Rule 65 *ter* Exhibit List and the
Admission of Documents into Evidence**

Office of the Prosecutor

Mr Alan Tieger
Mr Stefan Waespi

Counsel for Ante Gotovina

Mr Luka Mišetić
Mr Gregory Kehoe
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay, QC
Mr Andrew Cayley
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić
Mr Tomislav Kuzmanović

1. On 5 March 2009, having heard and considered both the written and oral submissions of the parties with regard to the admission of various documents into evidence along with the request for leave to add documents to its Rule 65 *ter* list, the Chamber announced that it would give its decision in writing. The Chamber hereby gives its decision.

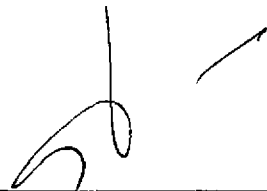
2. The Chamber grants the Prosecution leave to add the following documents to the Rule 65 *ter* list and admit these documents into evidence: P2219, P2220, P2224, P2227, P2228, P2229, P2230, P2231, P2232, P2233, P2237, P2242, P2243, P2244, P2245, P2247, P2254, P2255, P2256, P2257, P2258, P2259, P2262, P2265, P2266, P2267, P2268, P2269, P2270, P2271, P2272, P2273, P2274, P2275, P2277, P2278, P2279, P2280, P2281, P2284, P2285, P2286, P2287, P2289, P2290, P2291, P2292, P2293, P2294, P2295, P2296, P2297, P2298, P2299, P2300, P2303, P2304, P2305, P2306, P2307, P2308, P2309, P2310, P2312, P2322, P2324, P2326, P2338, P2341, P2342, P2343, P2346, P2347, P2348, and P2349.

3. The Chamber further grants the Prosecution leave to add the document attached to the Prosecution's Motion to Add one Document to the Rule 65 *ter* Exhibit List of 17 February 2009. The Chamber invites the Prosecution to make submissions on the admission of this document into evidence by 13 March 2009. The Defence is invited to respond to these submissions no later than seven days after they are filed.

4. The Chamber denies the Prosecution leave to add P2210, P2214, and P2217 to its Rule 65 *ter* list.

5. Finally, the Chamber admits P1118, P2323, and P2344 into evidence. The Chamber denies the Prosecution's request to admit the following documents into evidence: P1050, P1051, and P1057.

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


 Judge Alphons Orie
 Presiding Judge

Dated this sixth day of March 2009
 At The Hague
 The Netherlands

[Seal of the Tribunal]