### 24-09-92-T D40387-D40382 24 My 2012





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-09-92-T

IT-98-33

Date:

24 May 2012

Original:

English

## IN TRIAL CHAMBER I

Before:

Judge Alphons Orie, Presiding

Judge Bakone Justice Moloto

Judge Christoph Flügge

Registrar:

Mr John Hocking

**Decision of:** 

24 May 2012

**PROSECUTOR** 

V.

RATKO MLADIĆ

**PUBLIC** 

# ADDENDUM TO DECISION ON DEFENCE REQUEST FOR ACCESS TO CONFIDENTIAL MATERIALS FROM THE KRSTIĆ CASE

#### The Prosecutor v. Radislav Krstić (IT-98-33)

Office of the Prosecutor

Mr. Serge Brammertz

Counsel for Radislav Krstić

Mr. Nenad Petrušić

Mr. Norman Sepenuk

## The Prosecutor v. Ratko Mladić (IT-09-92-T)

Office of the Prosecutor

Mr. Dermot Groome

Mr. Peter McCloskey

Counsel for Ratko Mladić

Mr. Branko Lukić

Mr. Miodrag Stojanović

**TRIAL CHAMBER I** 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 ("Chamber");

**NOTING** that the Chamber issued its Decision on Defence Request for Access to Confidential Materials from the *Krstić* Case on 21 March 2012 ("*Krstić* Access Decision");

**NOTING** that the Prosecution Notice of Materials in *Krstić* to Which the Accused Mladić Cannot Have Access, filed *ex parte* and confidentially on 27 April 2012, expanded one category and introduced five additional categories of *inter partes* confidential materials from the *Krstić* case to which the Accused Mladić could not have access ("Broadened Exclusion");<sup>1</sup>

**CONSIDERING** that during the 3 May 2012 Pre-Trial conference the Chamber directed the Mladić Defence to inform the Chamber of its position in relation to the Broadened Exclusion;<sup>2</sup>

**CONSIDERING** that on 10 May 2012, the Mladić Defence informed the Chamber through an informal communication that it did not object to the Broadened Exclusion;

#### FOR THE FOREGOING REASONS

PURSUANT TO Rule 54 of the Tribunal's Rules of Procedure and Evidence;

**HEREBY ORDERS** that material related to the Broadened Exclusion be omitted from the access granted to the Mladić Defence in the *Krstić* Access Decision:

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

Judge Alphons Orie Presiding Judge

Dated this twenty-fourth day of May 2012 At The Hague The Netherlands

### [Seal of the Tribunal]

T. 368. ("Witness scheduling, witness appearance, witness attendance, execution of arrest warrant, and non-accessible Registry documents".)