

**UNITED  
NATIONS**



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-04-75-T  
Date: 5 March 2013  
Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Guy Delvoie, Presiding  
Judge Burton Hall  
Judge Antoine Kesia-Mbe Mindua

**Registrar:** Mr. John Hocking

**Decision:** 5 March 2013

**PROSECUTOR**

v.

**GORAN HADŽIĆ**

**PUBLIC**

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**DECISION ON THE ADMISSION, REPLACEMENT, AND STATUS OF  
CERTAIN DOCUMENTS AND EXHIBITS**

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**The Office of the Prosecutor:**

Mr. Douglas Stringer

**Counsel for Goran Hadžić:**

Mr. Zoran Živanović

Mr. Christopher Gosnell

1. **THIS 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”), pursuant to Rules 54, 75, 79, 89, and 92 *bis* of the Rules of Procedure and Evidence (“Rules”), hereby renders a decision on the following:

2. On 4 February 2013, the Trial Chamber issued an oral ruling admitting two exhibits associated with witness GH-092’s evidence.<sup>1</sup> The record shows that one of these exhibits, Rule 65 *ter* number 05861, was inadvertently referred to as 06861.<sup>2</sup> The Trial Chamber notes that 06861 is not a Rule 65 *ter* number currently in use in this case. Therefore, the Trial Chamber hereby admits Rule 65 *ter* number 05861 into evidence.

3. On 18 February 2013, the Prosecution filed a notice of compliance with the Trial Chamber’s 7 February 2013 “Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *quater* (Milan Babić)”. In the notice, the Prosecution seeks leave to replace Rule 65 *ter* numbers 04440, 04442, and 04445 with public versions that provide notations indicating that the original confidential status has been lifted by court order.<sup>3</sup> The Trial Chamber hereby grants the Prosecution leave to replace—by no later than 28 March 2013—Rule 65 *ter* numbers 04440, 04442, and 04445 with their corresponding public versions.

4. On 26 February 2013, the Prosecution filed a motion requesting that the status of two exhibits, P1086 and P1085, be changed from under seal to public.<sup>4</sup> The Trial Chamber considers that the status of exhibits P1085 and P1086 should be public and hereby grants the motion.

5. On 28 February 2013, the Prosecution filed a notice of compliance with the Trial Chamber’s 24 January 2013 decision in relation to Rule 92 *bis* witnesses. In the notice, the Prosecution requests that the status of exhibit P1136 be changed from public to under seal.<sup>5</sup> The Trial Chamber considers that the status of exhibit P1136 should be under seal and hereby grants the request.

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<sup>1</sup> Oral Ruling, 4 February 2013, T. 2806-2808.

<sup>2</sup> Oral Ruling, 4 February 2013, T. 2807.

<sup>3</sup> Prosecution Notice of Compliance with Decision on Admission of Evidence Pursuant to Rule 92 *quater* (Milan Babić), 18 February 2013, p. 1.


<sup>4</sup> Prosecution Motion for Change of Status for P01086 (Rule 65 *ter* Exhibit 06335) and P01085 (Rule 65 *ter* Exhibit 02448), 26 February 2013.

<sup>5</sup> Prosecution Notice of Compliance with Orders on Rule 65 *ter* Documents 06336 and 06337 (P001139) and Public Redacted Witness Statements and Transcripts of Prior Testimony of Rule 92 *bis* Witnesses, 28 February 2013.

6. The Trial Chamber instructs the Registry to take all necessary and appropriate measures to implement this decision.

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

Done this fifth day of March 2013,  
At The Hague,  
The Netherlands.



Judge Guy Delvoie  
Presiding

**[Seal of the Tribunal]**