



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-95-5/18-T

Date: 21 March 2013

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Decision of: 21 March 2013

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON ACCUSED'S MOTION FOR ADMISSION OF DOCUMENTS
PREVIOUSLY MARKED FOR IDENTIFICATION**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Standby Counsel

Mr. Richard Harvey

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 (“Trial Chamber”) is seised of the Accused’s “Motion to Admit Documents Previously Marked for Identification,” filed on 21 February 2013 (“Motion”), and hereby issues its decision thereon.

1. In the Motion, the Accused requests that the Chamber admit into evidence ten documents previously marked for identification (“MFI”)—MFI D2511, D2564, D2565, D2566, D2653, D2654, D2791, D2828, D2984, and D2985—as their English translations have now been obtained and uploaded into e-court.¹

2. In the “Prosecution Response to Motion to Admit Documents Previously Marked for Identification”, filed on 1 March 2013 (“Response”), the Office of the Prosecutor (“Prosecution”) submits that it does not object to the admission of any of the documents.

3. The Chamber recalls the “Order on the Procedure for the Conduct of the Trial”, issued on 8 October 2009 (“Order on Procedure”), in which it stated, *inter alia*, that any item marked for identification in the course of the proceedings, either because there is no English translation or for any other reason, will not be admitted into evidence until such time as an order to that effect is issued by the Chamber.²

4. On the basis of the information provided by the Accused in the Motion, and having reviewed the documents,³ along with their proposed translations and the relevant transcripts, the Chamber is satisfied that the following ten documents should now be marked as admitted: MFI D2511, D2564, D2565, D2566, D2653, D2654, D2791, D2828, D2984, and D2985.

¹ Motion, para. 1.

² Order on the Procedure for the Conduct of the Trial, 8 October 2009, Appendix A, paras. O, Q.

³ On 6 March 2013, the Chamber instructed the Defence to locate more legible copies of four of the documents referred to in the Motion—MFI D2511, D2564, D2565, and D2566—and if available, to inform the Chamber and to upload them to e-court by 13 March 2013. *See* T. 34963–34964 (6 March 2013). On 12 March 2013, the Accused’s legal adviser informed the Chamber *via* e-mail that the Defence had located more legible copies of

Disposition

5. Accordingly, for the reasons outlined above and pursuant to Rule 89 of the Tribunal's Rules of Procedure and Evidence, the Chamber hereby **GRANTS** the Motion and **ADMITS** into evidence the documents currently marked for identification as: D2511, D2564, D2565, D2566, D2653, D2654, D2791, D2828, D2984, and D2985.

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



Judge O-Gon Kwon
Presiding

Dated this twenty-first day of March 2013
At The Hague
The Netherlands

[Seal of the Tribunal]

these four documents and had sent them for translation; on 15 March 2013, the Accused's case manager informed the Chamber that they had been uploaded to e-court.