



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: 19 November 2013
Original: English

IN THE TRIAL CHAMBER

Before:

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

Registrar:

Mr. John Hocking

Decision:

19 November 2013

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

DECISION ON

**PROSECUTION MOTION TO SUBSTITUTE OR ADD TRANSLATIONS OF
EXHIBITS P112.111, P211.140, P1387.1351, P1865, AND P1903**

AND

**DEFENCE REQUEST TO REPLACE TRANSLATION OF
EXHIBIT D105 WITH REVISED VERSION**

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”) is seised of the “Prosecution Motion to Substitute or Add Translations of Exhibits P112.111, P211.140, P1387.1351, P1865, and P1903”, filed on 22 October 2013 (“Motion”). The Defence confidentially filed its “Response to Prosecution Motion to Substitute or Add Translations of Exhibits P112.111, P211.140, P1387.1351, P1865, and P1903” (“Response”) on 5 November 2013.

2. The Tribunal is also seised of the “Defence Request to Replace Translation of Exhibit D105 with a Revised Version”, filed on 29 October 2013 (“Second Motion”). The Prosecution filed its “Response to Defence Request to Replace Translation of Exhibit D105 with a Revised Version” (“Second Response”) on 8 November 2013.

3. In the Motion, the Prosecution submits that it has become aware that the English translations of exhibits P112.111, P1865, and P1903 each contain errors.¹ The Prosecution has submitted each exhibit to the Conference and Language Services Section (“CLSS”) for review and now seeks to substitute the revised translations in place of those attached to the respective exhibits.² The Prosecution has further discovered that page 5 of P1387.1351 lacked an English translation and seeks to add this translation to the exhibit.³ Finally, the Prosecution provides the transcripts for video exhibit P211.140.⁴ In the Response, the Defence objects to the revised translation of P1903, arguing that it still contains an error that was in the original translation and one additional error.⁵ On 14 November 2013, the Prosecution informed the Chamber that (a) it had uploaded a revised translation of P1903, which corrected the mistakes outlined in the Response and that (b) the Defence did not object to this second revised translation.⁶ The Trial Chamber finds that, in the particular circumstances of these documents, it is appropriate to replace the old translations with the revised ones and to add translations, where appropriate.

4. In the Second Motion, the Defence requests that the document uploaded to eCourt under document identification number 1D05-2126 be added as the English translation of D105.⁷ In the Second Response, the Prosecution does not oppose the request.⁸ The Trial Chamber finds that, in

¹ Motion, paras 2-4.

² Motion, paras 1, 2-4.

³ Motion, paras 1, 6.

⁴ Motion, paras 1, 5.

⁵ Response, para. 1.

⁶ Email from Prosecution to Chamber, 14 November 2013.

⁷ Second Motion, para. 1.

⁸ Second Response, para. 1.

the particular circumstances of this document, it is appropriate to replace the old translation with the revised one.

5. Accordingly, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, the Trial Chamber hereby

(a) **GRANTS** the Motion and **ORDERS** as follows:

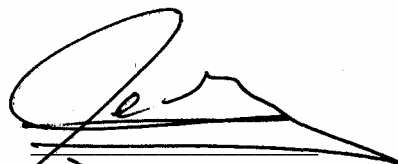
- (i) The current English translation of P112.111 shall be replaced with document identification number 0202-7311 ET;
- (ii) The current confidential and public redacted English translations of P1865 shall be replaced with document identification numbers ET 0607-9012-Rev and ET 0607-9012-Rev RED, respectively;
- (iii) The current English translation of P1903 shall be replaced with document identification number 0345-7152 ET REV;
- (iv) Document identification number R068-4500-ET shall be added as a translation to P1387.1351;
- (v) Document identification numbers ET V000-1412-2 and BCS V000-1412-2 shall be added as the English and BSC transcripts, respectively, of P211.140;

(b) **GRANTS** the Second Motion and **ORDERS** that the current English translation of D105 shall be replaced with document identification number 1D05-2126;

(c) **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 nineteenth day of November 2013,
At The Hague,
The Netherlands.



Judge Guy Delvoie
Presiding

[Seal of the Tribunal]