



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: 3 April 2014
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: 3 April 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**CORRIGENDUM TO DECISION ON PROSECUTION'S MOTION FOR THE
ADMISSION OF DOCUMENTS FROM THE BAR TABLE (MUNICIPALITIES)**

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 (“Tribunal”),

NOTING its “Decision on Prosecution’s Motion for the Admission of Documents from the Bar Table (Municipalities)” issued on 25 May 2012 (“Decision”), in which it ordered that a number of documents be admitted into evidence from the bar table and that the Registry mark the said documents as admitted;¹

CONSIDERING that, due to an oversight by the Chamber document with *65 ter* number 13983, which the Chamber found to be admissible in paragraph 32 of the Decision was not referred to in the disposition and was erroneously referred to in paragraphs 33 and 55;

FURTHER CONSIDERING that, due to an oversight by the Chamber, documents with *65 ter* numbers 05759, 05760, and 05774, which the Chamber admitted in the disposition of the Decision were not referred to in paragraph 55 of the Decision;

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence of the Tribunal,

ORDERS that paragraph 33 of the Decision shall read as follows:

In contrast, given that the Video Material is accompanied by video recordings, the Chamber finds that it does not require independent verification of the accuracy of the information contained therein. The concerns regarding the reliability and probative value of media reports are in this case alleviated given that the Chamber has access to the underlying video recordings. The Chamber finds that the Video Material is relevant and probative as it relates to a number of issues including: (1) the Accused’s knowledge of and statements regarding the events leading up to the takeover of the municipalities charged in the Indictment; (2) the territorial objectives of the Bosnian Serb leadership and their involvement in international negotiations; (3) the Accused’s relationship with Ratko Mladić; and (4) the involvement of paramilitaries such as Arkan in events surrounding the alleged takeover of Bijeljina and their relationship with the Bosnian Serb leadership. Having determined that the Video Material satisfies the requirements of Rule 89(C) of the Rules, and finding no reason to deny its admission pursuant to Rule 89(D),

¹ Decision, para. 56.

the Chamber will admit into evidence the videos which bear 65 *ter* numbers 40136A, 40382, 40403A, 45019, 45099A, 45099B, 45238A, 45366, and 45367.

ORDERS that paragraph 55 of the Decision shall read as follows:

Accordingly the documents bearing the following 65 *ter* numbers shall be admitted into evidence from the bar table: 00252, 00547, 00561, 00649, 00650, 00659, 00797, 00805, 00828, 00861, 00993, 01028, 01030, 01047, 01050, 01112, 01172, 01149, 01229, 01277, 01295, 01298, 01445, 01486, 01575, 01630, 01711, 01713, 01797, 04213, 04217, 04266, 04926, 05096, 05105, 05142, 05143, 05146, 05417, 05475, 05509, 05528², 05556, 05583, 05759, 05760, 05774, 05795, 05879, 07011, 07063, 07064, 07068, 07095, 07917, 07936, 08023, 08200, 08230, 08396, 08440, 09048, 09106, 09147, 09212, 09215, 09242, 09389, 09452, 09455, 10531, 10533³, 10556, 10758, 10765, 10767, 10940, 10944, 11046, 11227, 11228, 11276, 11316, 11432⁴, 11526, 13317, 13373, 13457, 13818, 13975, 14221, 15660, 16057, 16259, 16260, 17621, 18225, 18244, 18268, 18455, 18683, 18700A, 18835, 18921, 18923, 18924, 18963, 21288⁵, 21309, 21778, 21810, 21866, 21901, 21906, 21995, 22913, 22920, and 45409.

ORDERS that paragraph 56(a) of the Decision shall read as follows:

Unanimously **ADMITS** into evidence documents bearing the following 65 *ter* numbers:

00283, 00258, 00252, 00435, 00547, 00561, 00582, 00611, 00649, 00650, 00659, 00797, 00805, 00814, 00828, 00830, 00851, 00861, 00993, 01028, 01030, 01047, 01050, 01112, 01149, 01172, 01229, 01277, 01295, 01298, 01445, 01486, 01500, 01575, 01576, 01582, 01630, 01711, 01713, 01797, 02555, 02556, 04033, 04213, 04217, 04266, 04427, 04926, 05070B, 05084, 05096, 05105, 05142, 05143, 05146, 05193, 05262, 05298, 05417, 05432, 05435, 05475, 05509, 05528⁶, 05545, 05556, 05557, 05558, 05570, 05583,

² The Prosecution only refers to and offers context to extracts from this document. Accordingly only pages 43-44 of the English translation and page 16 of the BCS version will be admitted.

³ For 65 *ter* numbers 10531 and 10533, while the underlying crimes committed against Bosnian Serbs is not relevant *per se*, the documents are relevant to show that the Bosnian Serb authorities had the willingness and ability to investigate and prosecute those crimes.

⁴ While Judge Baird agrees with the majority that document with 65 *ter* number 11432 is relevant to the proceedings, in the absence of any indication as to the date, the source, or the provenance of the document, he disagrees that this document presents sufficient indicia of authenticity to warrant its admission from the bar table. Judge Baird therefore considers that document with 65 *ter* number 11432 may not be admitted from the bar table. *See also* Srebrenica Bar Table Decision, para. 31.

⁵ The Chamber notes that the last two pages of the uploaded BCS version of this document appear to be unrelated to 65 *ter* number 21288. Accordingly only the first two pages of the BCS version and the corresponding English translations of 65 *ter* number 21288 will be admitted.

⁶ The Prosecution only refers to and offers context to extracts from this document. Accordingly only pages 43-44 of the English translation and page 16 of the BCS version will be admitted.

05588, 05589, 05645, 05669, 05670, 05759, 05760, 05774, 05777, 05795, 05879, 05928, 06481, 07011, 07063, 07064, 07068, 07092, 07095, 07414, 07789, 07917, 07936, 07982, 08023, 08200, 08230, 08396, 08440, 09048, 09073, 09106, 09147, 09195, 09212, 09215, 09242, 09389, 09433, 09452, 09455, 09465, 10531, 10533⁷, 10556, 10712, 10758, 10765, 10767, 10830, 10831, 10841, 10937A, 10938, 10940, 10942, 10944, 11046, 11169, 11227, 11228, 11229, 11276, 11315, 11316, 11526, 11539, 13317, 13154, 13351, 13360, 13373, 13457, 13818, 13975, 13983, 14221, 14633, 14925, 14934, 15273, 15660, 16057, 16259, 16260, 17257, 17621, 17808, 17820, 17868, 17976, 18225, 18244, 18258, 18268, 18434, 18455, 18683, 18700A, 18835, 18921, 18923, 18924, 18946, 18963, 20421, 21288⁸, 21309, 21598, 21601, 21603, 21606, 21637, 21676, 21690, 21778, 21810, 21839, 21866, 21901, 21906, 21995, 22874, 22913, 22920, 40136A, 40382, 40403A, 45019, 45099A, 45099B, 45238A, 45366, 45367, and 45409;

INSTRUCTS the Registry to assign an exhibit number for 65 *ter* number 13983.

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



Judge O-Gon Kwon
Presiding

Dated this third day of April 2014
At The Hague
The Netherlands

[Seal of the Tribunal]

⁷ For 65 *ter* numbers 10531 and 10533, while the underlying crimes committed against Bosnian Serbs is not relevant *per se*, the documents are relevant to show that the Bosnian Serb authorities had the willingness and ability to investigate and prosecute those crimes.

⁸ The Chamber notes that the last two pages of the uploaded BCS version of this document appear to be unrelated to 65 *ter* number 21288. Accordingly only the first two pages of the BCS version and the corresponding English translations of 65 *ter* number 21288 will be admitted.