



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
Date: 22 September 2016
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr John Hocking

Decision of: 22 September 2016

PROSECUTOR

v.

RATKO MLADIĆ

PUBLIC

OMNIBUS DECISION

Office of the Prosecutor

Mr Peter McCloskey
Mr Alan Tieger

Counsel for Ratko Mladić

Mr Branko Lukić
Mr Miodrag Stojanović

1. The Chamber is seised of several administrative matters. With a view to disposing of these matters efficiently, the Chamber considers it appropriate to issue the following omnibus decision.

Decision on Prosecution Motion to Withdraw an Erroneous Reference to Adjudicated Fact 1557 in Exhibit P722

2. On 5 September 2016, the Prosecution requested the replacement of exhibit P722 with the document bearing Rule 65 *ter* number 28617a in order to remove an erroneous reference to Adjudicated Fact 1577.¹ The Defence did not respond to the request. The Chamber **GRANTS** the Prosecution request of 5 September 2016 and **INSTRUCTS** the Registry to replace exhibit P722 with the document bearing Rule 65 *ter* number 28617a.

Decision on Defence Request of 29 June 2016

3. On 29 June 2016, the Defence requested that the Chamber issue an order making “all filings related to this matter” public.² On 2 August 2016, the Chamber instructed the Defence to clarify exactly which filings it was referring to and to make specific submissions in this regard.³ The Defence has failed to make any submissions related to this matter. The Chamber **DENIES** the Defence request of 29 June 2016 without prejudice.

Individual Documents

4. *P6025*. On 31 January 2014, the Chamber admitted exhibit P6025 into evidence.⁴ On 29 August 2016, the Prosecution emailed the Chamber and the Defence, advising that several pages were missing from the English translation of the exhibit and that a complete translation had been uploaded into eCourt under DocID 0109-4538 ET. On 5 September 2016, the Defence responded, advising that it would inform the Prosecution and Chamber of its position in relation to the additional pages in due course. The Chamber **INSTRUCTS** the Registry to replace the English translation of exhibit P6025 with the corrected version. The Defence has one week to revisit the matter, if necessary.

¹ Prosecution Motion to Withdraw an Erroneous Reference to Adjudicated Fact 1577 in P00722, 5 September 2016 (Confidential).

² Defence Response to Registry Filing of 27 June 2016, 29 June 2016 (Confidential), para. 16.

³ Fourth Defence Case Omnibus Decision, 2 August 2016, para. 4.

⁴ Decision on Prosecution Motion to Admit Evidence from the Bar Table – Proof of Death Documents, 31 January 2014.

5. *P3453 and P3454*. On 6 September 2013, the Chamber admitted exhibits P3453 and P3454, two sketches with BCS text, into evidence.⁵ On 22 August 2016, the Prosecution emailed the Chamber and the Defence, advising that at the time of tendering, the Prosecution had neglected to provide English translations of the two exhibits and that the translations had since been uploaded into eCourt. The Chamber **INSTRUCTS** the Registry to attach the document uploaded under DocID 0042-3313 ET to exhibit P3453 and the document uploaded under DocID 0042-3314 ET to exhibit P3454. The Defence has one week to revisit the matter, if necessary.

6. *P2205*. On 14 November 2013, the Chamber admitted exhibit P2205 into evidence.⁶ On 22 August 2016, the Prosecution emailed the Chamber and the Defence, advising that a more legible version of the exhibit had been uploaded into eCourt under Rule 65 *ter* number 04630a. On 24 August 2016, the Defence responded, advising that it does not object to the replacement of the exhibit. The Chamber **INSTRUCTS** the Registry to replace the exhibit with the corrected version.

7. *P2097*. On 3 September 2013, the Chamber admitted exhibit P2097 into evidence.⁷ The next day in court, the Prosecution noted a problem with the English translation of the exhibit.⁸ On 26 August 2016, the Prosecution emailed the Chamber and the Defence, advising that a revised English translation had been uploaded into eCourt under DocID 0434-2010-2 ET. On 5 September 2016, the Defence responded, advising that it does not object to the revised translation. The Chamber **INSTRUCTS** the Registry to replace the existing translation of exhibit P2097 with the revised one.

8. *P5182*. On 13 February 2014, the Chamber admitted exhibit P5182 into evidence.⁹ On 30 August 2016, the Prosecution emailed the Chamber and the Defence, advising that a revised English translation of the exhibit had been uploaded into eCourt under DocID 0436-5132 ET. The Chamber **INSTRUCTS** the Registry to replace the existing translation of exhibit P5182 with the revised one. The Defence has one week to revisit the matter, if necessary.

9. *D2181*. On 16 August 2016, the Chamber admitted exhibit D2181 into evidence and requested the Registry's Conference and Language Service Section ("CLSS") to verify pages 10 to 12 of the English translation.¹⁰ On 18 August 2016, CLSS filed a memorandum setting out its amendments to the existing translation of exhibit D2181. On 8 September 2016, the Registry

⁵ Decision on Prosecution Eleventh Motion to Admit Evidence pursuant to Rule 92 *bis*, 6 September 2013.

⁶ T. 13982-19385.

⁷ T. 16161-16162.

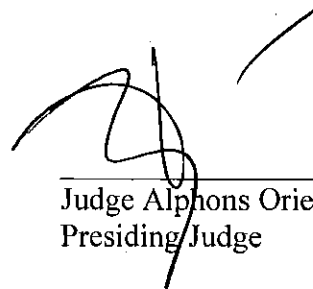
⁸ T. 16175-16176.

⁹ Decision on Prosecution Motion for Admission of Documents from the Bar Table (Military and Residual Documents), 13 February 2014.

advised that the revised translation had been uploaded into eCourt under DocID IC00-0210. The Chamber **INSTRUCTS** the Registry to replace the existing translation of exhibit D2181 with the revised one.

10. *P7670*. On 18 November 2015, the Chamber admitted exhibit P7670 into evidence without an English translation.¹¹ On 15 September 2016, the Prosecution emailed the Chamber and the Defence, advising that an English translation of the exhibit had been uploaded into eCourt under DocID 0687-4591-ET. The Chamber **INSTRUCTS** the Registry to attach the translation to exhibit P7670. The Defence has one week to revisit the matter, if necessary.

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



Judge Alphons Orie
Presiding Judge

Dated this twenty-second day of September 2016
At The Hague
The Netherlands

[Seal of the Tribunal]

¹⁰ Decision on Defence Renewed Request for Admission of the Document Bearing Rule 65 *ter* Number ID04841, 16 August 2016.

¹¹ T. 41538.