

IT-06-90-T  
D 21467 - D 21466  
06 March 2009

21467 MS.



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-06-90-T  
Date: 6 March 2009  
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding  
Judge Uldis Kinis  
Judge Elizabeth Gwaunza

Acting Registrar: Mr John Hocking

Decision of: 6 March 2009

PROSECUTOR

v.

ANTE GOTOVINA  
IVAN ČERMAK  
MLADEN MARKAČ

*PUBLIC*

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Decision on Additions of Documents to the Prosecution's Rule 65 *ter* Exhibit List and the  
Admission of Documents into Evidence

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**Office of the Prosecutor**

Mr Alan Tieger  
Mr Stefan Waespi

**Counsel for Ante Gotovina**

Mr Luka Mišetić  
Mr Gregory Kehoe  
Mr Payam Akhavan

**Counsel for Ivan Čermak**

Mr Steven Kay, QC  
Mr Andrew Cayley  
Ms Gillian Higgins

**Counsel for Mladen Markač**

Mr Goran Mikuličić  
Mr Tomislav Kuzmanović

1. On 5 March 2009, having heard and considered both the written and oral submissions of the parties with regard to the admission of various documents into evidence along with the request for leave to add documents to its Rule 65 *ter* list, the Chamber announced that it would give its decision in writing. The Chamber hereby gives its decision.

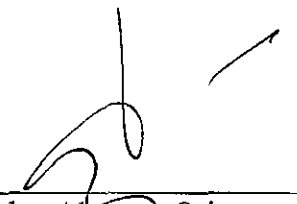
2. The Chamber grants the Prosecution leave to add the following documents to the Rule 65 *ter* list and admit these documents into evidence: P2219, P2220, P2224, P2227, P2228, P2229, P2230, P2231, P2232, P2233, P2237, P2242, P2243, P2244, P2245, P2247, P2254, P2255, P2256, P2257, P2258, P2259, P2262, P2265, P2266, P2267, P2268, P2269, P2270, P2271, P2272, P2273, P2274, P2275, P2277, P2278, P2279, P2280, P2281, P2284, P2285, P2286, P2287, P2289, P2290, P2291, P2292, P2293, P2294, P2295, P2296, P2297, P2298, P2299, P2300, P2303, P2304, P2305, P2306, P2307, P2308, P2309, P2310, P2312, P2322, P2324, P2326, P2338, P2341, P2342, P2343, P2346, P2347, P2348, and P2349.

3. The Chamber further grants the Prosecution leave to add the document attached to the Prosecution's Motion to Add one Document to the Rule 65 *ter* Exhibit List of 17 February 2009. The Chamber invites the Prosecution to make submissions on the admission of this document into evidence by 13 March 2009. The Defence is invited to respond to these submissions no later than seven days after they are filed.

4. The Chamber denies the Prosecution leave to add P2210, P2214, and P2217 to its Rule 65 *ter* list.

5. Finally, the Chamber admits P1118, P2323, and P2344 into evidence. The Chamber denies the Prosecution's request to admit the following documents into evidence: P1050, P1051, and P1057.

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



Judge Alphons Orie  
Presiding Judge

Dated this sixth day of March 2009  
At The Hague  
The Netherlands

[Seal of the Tribunal]