

**UNITED  
NATIONS**

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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-98-32/1-R77.2

Date: 2 May 2011

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**IN THE TRIAL CHAMBER**

**Before:** Judge Howard Morrison, Presiding  
Judge Burton Hall  
Judge Guy Delvoie

**Registrar:** Mr. John Hocking

**THE PROSECUTOR**

v.

**JELENA RAŠIĆ**

***PUBLIC WITH CONFIDENTIAL ANNEXES***

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**PROSECUTION'S SUBMISSION PURSUANT TO RULE  
65 TER(E) WITH CONFIDENTIAL ANNEXES I, II AND III**

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**The Office of the Prosecutor:**

Mr. Paul Rogers

**Counsel for Jelena Rašić:**

Ms. Mira Tapušković

**THE INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA**

**Case No. IT-98-32/1-R77.2**

**THE PROSECUTOR**

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CONFIDENTIAL ANNEXES I, II AND III**

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1. Pursuant to the Pre-Trial Judge's Oral Order of 4 February 2011,<sup>1</sup> the Prosecution hereby submits its pre-trial brief (attached to this filing as confidential Annex I), its witness list (attached as confidential Annex II) and its exhibit list (attached as confidential Annex III).
2. The pre-trial brief is filed confidentially because it refers to confidential documentary material and the identity of potential witnesses.
3. The witness list, filed pursuant to Rule 65*ter*(E)(ii), consists of a total of 12 witnesses. The estimated total length of time for the Prosecution's case-in-chief, apart from the time needed for its opening and closing statements and any re-examination, is 16 hours. This is the sum total of the time indicated in the witness list for each witness slated to testify pursuant to Rule 92*ter* and/or live. The witnesses proposed under Rule 92*bis* are not included in this calculation. This estimation is subject to change if the testimony of any of these witnesses is given live.

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<sup>1</sup> Status Conference, 4 February 2011, T.15.

4. The witness list refers to two witnesses by pseudonym in accordance with prior Trial Chamber orders.<sup>2</sup> Motions for further protective measures will be filed in relation to other witnesses as appropriate.

5. The exhibit list, filed pursuant to Rule 65ter(E)(iii), contains a total of 100 exhibits which the Prosecution will seek to rely on at trial. The list indicates with respect to each exhibit the manner in which the Prosecution expects to tender the exhibit into evidence. The parties have thus far reached agreement that the first 16 exhibits should be admitted into evidence.<sup>3</sup> The Prosecution has dropped 11 exhibits from its list based upon recent factual agreements with the Defence. These exhibit numbers are marked as "DROPPED EXHIBIT" on the exhibit list.

6. The Prosecution will endeavour to reduce its lists of witnesses and exhibits prior to the commencement of trial should further agreement be reached with the Defence.

Word Count: 374



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Paul Rogers  
Senior Appeals Counsel

Dated this 2<sup>nd</sup> day of May 2011  
At The Hague, The Netherlands

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<sup>2</sup> See Confidential and Ex Parte Addendum to Submission of Indictment and Supporting Material against Jelena Rašić, 24 August 2010, paras.1-2.

<sup>3</sup> See Joint Prosecution and Defence Submission on Agreed Facts and Exhibits with Confidential Annexes A and B, 2 May 2011.