

**UNITED
NATIONS**



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: 22 April 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: 22 April 2013

PROSECUTOR

v.

GORAN HADŽIĆ

PUBLIC

**DECISION ON PROSECUTION MOTION FOR REPLACEMENT OF
EXHIBITS P1066.1065 AND P1066.1**

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 for Replacement of Exhibit P01066.1065 (Rule 65 *ter* Exhibit 04459) and P01066.1 (Rule 65 *ter* Exhibit 04459.1)”, filed on 19 March 2013 (“Motion”).

2. On 7 February 2013, the Chamber admitted witness GH-036’s prior testimony from the *Mrkšić et al.* case (Case No. IT-95-13/1) pursuant to Rule 92 *ter*.¹ The Prosecution informed the Chamber that there was an interpretation error reflected in the official English language version of one of GH-036’s tendered transcripts and that it would therefore contact the Registry in order to have the official transcript corrected.²

3. In the Motion, the Prosecution informs the Chamber that the requested change to the official transcript from the *Mrkšić et al.* case has been made and seeks to replace exhibits P1066.1065 and P1066.1³ with the corrected version of the transcript.⁴ The corrected version of the transcript has been uploaded to eCourt as Rule 65 *ter* numbers 04459.2 (public redacted) and 04459.3 (confidential).⁵

4. The Defence indicated that it would make no submissions in relation to the Motion.⁶

5. The Trial Chamber notes that the Registry has confirmed that the transcript should be amended as described above and that this has now been done.⁷ Therefore, the exhibits should be replaced so that the admitted transcript in this case reflects the official version of the transcript in the *Mrkšić et al.* case.

¹ Hearing, 7 February 2013, T. 3042-3043.

² Hearing, 7 February 2013, T. 3038-3039. See *Prosecutor v. Mrkšić et al.*, Case No. IT-95-13/1-T, Hearing, 2 March 2006, T. 5353.

³ P1066.1 is the public redacted version of P1066.1065.

⁴ Motion, paras 1, 3.

⁵ Motion, para. 3.

⁶ Email from the Defence to the Trial Chamber and Prosecution, 2 April 2013.

⁷ *Prosecutor v. Mrkšić et al.*, Case No. IT-95-13/1-A, Internal Memorandum of the Registry, 8 March 2013, p. 1; Motion, para. 2.


6. Accordingly, the Trial Chamber, pursuant to Rules 54, 89(C), and 92 *ter* of the Rules, hereby

(a) **GRANTS** the Motion; and

(b) **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 twenty-second day of April 2013,
At The Hague,
The Netherlands.



Judge Guy Delvoie
Presiding

[Seal of the Tribunal]