

**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-09-92-T

Date: 6 November 2012

IN TRIAL CHAMBER I

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

Registrar: Mr. John Hocking

THE PROSECUTOR

v.

RATKO MLADIĆ

Public

**PROSECUTION'S NOTICE OF DISCLOSURE OF EXPERT REPORTS OF
SIX FORENSIC EXPERT WITNESSES PURSUANT TO
RULE 94BIS**

The Office of the Prosecutor:

Mr. Dermot Groome
Mr. Peter McCloskey

Counsel for Ratko Mladić:

Mr. Branko Lukić
Mr. Miodrag Stojanović

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

Case No. IT-09-92-T

THE PROSECUTOR

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RATKO MLADIĆ

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**PROSECUTION'S NOTICE OF DISCLOSURE OF EXPERT REPORTS OF
SIX FORENSIC EXPERT WITNESSES PURSUANT TO
RULE 94BIS**

1. Pursuant to Rule 94bis(A) of the Tribunal's Rules of Procedure and Evidence ("Rules"), the Prosecution hereby provides notice to the Trial Chamber of its disclosure of the expert reports of six Srebrenica-related forensic expert witnesses. The Prosecution seeks the admission of the below listed reports and curricula vitae for the following experts, pursuant to Rule 94bis(C):

- Jose Pablo Baraybar (RM601)
- John Clark (RM606)
- William Haglund (RM609)
- Christopher Lawrence (RM613)
- Fredy Peccerelli (RM616)
- Richard Wright (RM623)

2. All of the proposed expert reports and CVs are available for review by the Trial Chamber and the Defence in e-Court, using their Rule 65ter numbers. They are described as follows:

- **Jose Pablo Baraybar (RM601)**
 - Rule 65ter #04499: “Report on the Anthropology Examination of Human Remains from Eastern Bosnia in 1999”, dated 8 December 1999¹ (including two addenda, 65ter numbers 04497² and 04498³);
 - Rule 65ter #04500: “Report on the Exhumation of Mass Gravesites in Eastern Bosnia, August-October 1999”, dated 8 December 1999;⁴
 - Rule 65ter #04501: “Report on the Anthropological Examination of Human Remains from Eastern Bosnia in 2000”, dated 2 February 2001;⁵
 - Rule 65ter #05344: “Report on Excavations at Glogova 2, Bosnia and Herzegovina 1999-2001”, undated;⁶
 - Rule 65ter #05345: “Report on Excavation at the Site of Zelani Jadar 6, Bosnia and Herzegovina 2001”, undated;⁷
 - Rule 65ter #05346: “Calculation of the Minimal Number of Individuals Exhumed by the International Criminal Tribunal for the Former Yugoslavia between 1996 and 2001”, dated January 2004;⁸
 - Rule 65ter #4489: CV for Jose Pablo Baraybar, undated.

¹ This Report relates to the analysis of human remains exhumed from the Kozluk and Čančari Road 3 graves (Scheduled Incidents E.8.1 and E.8.2); the Glogova and Zeleni Jadar 5 graves (Scheduled Incidents E.3.1); the Petkovci Dam and Liplje 2 graves (Scheduled Incidents E.7.1 and E.7.2); the Lazete 2 and Hodžići Road 3-5 graves (Scheduled Incidents E.6.1 and E.6.2); the Branjevo Farm and Čančari Road 12 graves (Scheduled Incidents E.9.1, E.9.2 and E.10.1); and the Cerska grave (Scheduled Incident E.2.1).

² Addendum to Report on Anthropology Examination of Human Remains from Eastern Bosnia in 1999.

³ Revised Addendum to the Anthropology Examination of Human Remains from Eastern Bosnia in 1999, entitled “Sex Distribution in Srebrenica Sites (1996-1999).”

⁴ The exhumation and analysis of human remains exhumed from the Glogova grave described in this Report relates to Scheduled Incident E.3.1.

⁵ This Report is an update of Rule 65ter #04499, and relates to the analysis of human remains exhumed from the Kozluk and Čančari Road 3 graves (Scheduled Incidents E.8.1 and E.8.2); the Glogova, Zeleni Jadar 5 and Ravnice graves (Scheduled Incidents E.3.1); the Petkovci Dam and Liplje 2 graves (Scheduled Incidents E.7.1 and E.7.2); the Lazete 2 and Hodžići Road 3-5 graves (Scheduled Incidents E.6.1 and E.6.2); the Branjevo Farm and Čančari Road 12 graves (Scheduled Incidents E.9.1, E.9.2 and E.10.1); and the Cerska grave (Scheduled Incident E.2.1).

⁶ The exhumation of the Glogova grave described in this Report relates to Scheduled Incident E.3.1.

⁷ The exhumation of the Glogova grave described in this Report relates to Scheduled Incident E.3.1.

⁸ This Report is a further update of Rule 65ter numbers 04499 and 04501, and relates to the analysis of human remains exhumed from the Kozluk and Čančari Road 3 graves (Scheduled Incidents E.8.1 and E.8.2); the Glogova, Zeleni Jadar 5 and Ravnice graves (Scheduled Incidents E.3.1); the Petkovci Dam and Liplje 2 graves (Scheduled Incidents E.7.1 and E.7.2); the Lazete 2 and Hodžići Road 3-5 graves (Scheduled Incidents E.6.1 and E.6.2), the Branjevo Farm and Čančari Road 12 graves (Scheduled Incidents E.9.1, E.9.2 and E.10.1); and the Cerska grave (Scheduled Incident E.2.1).

- **John Clark (RM606)**
 - Rule 65ter #04514: “Report of Chief Pathologist, Srebrenica Grave Sites (1999)”, undated;⁹
 - Rule 65ter #04537: “Report of the Chief Pathologist, Srebrenica Grave Sites (2000)”, dated 24 February 2001;¹⁰
 - Rule 65ter #05331: “Report of the Chief Pathologist, Srebrenica Grave Sites (2001)”, dated 24 May 2003;¹¹
 - Rule 65ter #11029: “Report of CLARK, John - Chief Pathologist Paklenik Cave and Ivan Polje Grave-Site”, dated 30 July 2002;¹²
 - Rule 65ter #11030: “Supplementary Report of CLARK, John - Chief Pathologist Paklenik Cave and Ivan Polje Grave-Site”, dated 30 September 2002;¹³ and
 - Rule 65ter #11032: “Report of CLARK, John - Chief Pathologist Vlasenica Grave-Site”, dated 30 September 2002.¹⁴
 - Rule 65ter #4513: CV for John Clark, undated.
- **William Haglund (RM609)**
 - “Forensic Investigation of the Cerska Grave Site Bosnia and Herzegovina,” Volumes I,¹⁵ II,¹⁶ III,¹⁷ IV¹⁸ and V,¹⁹ dated 15 June 1998;²⁰

⁹ The autopsies of human remains recovered from the Glogova grave site and described in this Report relate to Scheduled Incident E.3.1. The autopsies of human remains recovered from the Kozluk grave site and described in this Report relate to Scheduled Incidents E.8.1 and E.8.2.

¹⁰ The autopsies of human remains recovered from the Glogova and Ravnice grave sites and described in this Report relate to Scheduled Incident E.3.1. The autopsies of human remains recovered from the Lazete grave site and described in this Report relate to Scheduled Incidents E.6.1 and E.6.2.

¹¹ The autopsies of human remains recovered from the Ravnice, Glogova and Zeleni Jadar grave sites and described in this Report relate to Scheduled Incident E.3.1.

¹² The autopsies of human remains recovered from the Paklenik Cave and Ivan Polje grave sites and described in this Report relate to unscheduled victims from Rogatica and to Scheduled Incident A.8.1.

¹³ The autopsies of human remains recovered from the Paklenik Cave relate to unscheduled victims from Rogatica.

¹⁴ The autopsies of human remains recovered from the Vlasenica grave site and described in this Report relate to Scheduled Incident B.16.1.

¹⁵ Rule 65ter #04548.

¹⁶ Rule 65ter #04549.

¹⁷ Rule 65ter #04550.

¹⁸ Rule 65ter #04551.

¹⁹ Rule 65ter #04552.

²⁰ The Cerska excavations and exhumations described in these Reports relate to Scheduled Incident E.2.1.

- “Forensic Investigation of the Lazete 2 Grave Site Bosnia and Herzegovina,” Volumes I,²¹ II,²² III,²³ IV²⁴ and V,²⁵ dated 15 June 1998;²⁶
- “Forensic Investigation of the Pilica (Branjevo Farm) Grave Site Bosnia and Herzegovina,” Volumes I,²⁷ II,²⁸ III²⁹ and IV,³⁰ dated 15 June 1998;³¹
- Rule 65ter #11035: CV for William Haglund, undated.
- **Christopher Lawrence (RM613)**
 - Rule 65ter #04577: “Report on Autopsies of Human Remains from the Dam Site June 1998”, dated 17 June 1999;³²
 - Rule 65ter #04578: “Report on Autopsies of Human Remains from Čančari Road Site 12, August 1998”, dated 17 June 1999;³³
 - Rule 65ter #11038: “Report on Ligatures found in the Grave in C12”, undated;³⁴
 - Rule 65ter #04579: “Report on Autopsies of Human Remains from Čančari Road Site 3, August-September 1998”, dated 17 June 1999;³⁵
 - Rule 65ter #11039: “Report on Ligatures found in the Grave in CR03”, undated;³⁶

²¹ Rule 65ter #04553.

²² Rule 65ter #04554.

²³ Rule 65ter #04555.

²⁴ Rule 65ter #04556.

²⁵ Rule 65ter #04557.

²⁶ The Lazete 2 excavations and exhumations described in these Reports relate to Scheduled Incidents E.6.1 and E.6.2.

²⁷ Rule 65ter #04559.

²⁸ Rule 65ter #04560.

²⁹ Rule 65ter #04561.

³⁰ Rule 65ter #04562.

³¹ The Pilica (Branjevo Farm) excavations and exhumations described in these Reports related to Scheduled Incidents E.9.1, E.9.2 and E.10.1.

³² The autopsies of human remains recovered from the Dam grave site and described in this Report relate to Scheduled Incidents E.7.1 and E.7.2.

³³ The autopsies of human remains recovered from the Čančari Road 12 grave site and described in this Report relate to Scheduled Incidents E.9.1, E.9.2 and E.10.1.

³⁴ This Report on ligatures recovered from the Čančari Road 12 grave site relates to Scheduled Incidents E.9.1, E.9.2 and E.10.1.

³⁵ The autopsies of human remains recovered from the Čančari Road 3 grave site and described in this Report relate to Scheduled Incidents E.8.1 and E.8.2.

³⁶ This Report on ligatures recovered from the Čančari Road 3 grave site relates to Scheduled Incidents E.8.1 and E.8.2.

- Rule 65ter #04580: “Report on Autopsies of Human Remains from Hodžići Road Site 3, October 1998”, dated 17 June 1999;³⁷
- Rule 65ter #04581: “Report on Autopsies of Human Remains from Hodžići Road Site 4, October 1998”, dated 17 June 1999;³⁸
- Rule 65ter #04582: “Report on Autopsies of Human Remains from Hodžići Road Site 5, October 1998”, dated 17 June 1999;³⁹
- Rule 65ter #04583: “Report on Autopsies of Human Remains from Zelani Jadar Site 5, October 1998, dated 17 June 1999;⁴⁰
- Rule 65ter #04584: “Report on Autopsies of Human Remains from Liplje Site 2, October 1998”, dated 17 June 1999;⁴¹
- Rule 65ter #04576: “Report on Bodies Recovered Near Kozluk in 1998”, dated 17 June 1999;⁴²
- Rule 65ter #4574: CV for Christopher Lawrence, undated.
- **Fredy Peccerelli (RM616)**
 - Rule 65ter #04589: “Lazete 1 Bosnia and Herzegovina Excavation and Exhumation Report,” undated;
 - Rule 65ter #11044: “Lazete 2 (LZ02C) Bosnia and Herzegovina Excavation and Exhumation,” undated;⁴³
 - Rule 65ter #5336: CV for Fredy Peccerelli, undated.
- **Richard Wright (RM623)**
 - Rule 65ter #04603: “Exhumations in Eastern Bosnia in 1998”, dated 12 May 1999;⁴⁴

³⁷ The autopsies of human remains recovered from the Hodžići Road 3 grave site and described in this Report relate to Scheduled Incidents E.6.1 and E.6.2.

³⁸ The autopsies of human remains recovered from the Hodžići Road 4 grave site and described in this Report relate to Scheduled Incidents E.6.1 and E.6.2.

³⁹ The autopsies of human remains recovered from the Hodžići Road 5 grave site and described in this Report relate to Scheduled Incidents E.6.1 and E.6.2.

⁴⁰ The autopsies of human remains recovered from the Zelani Jadar 5 grave site and described in this Report relate to Scheduled Incident E.3.1.

⁴¹ The autopsies of human remains recovered from the Liplje 2 grave site and described in this Report relate to Scheduled Incidents E.7.1 and E.7.2.

⁴² This Report on human remains recovered from the Kozluk site relates to Scheduled Incidents E.8.1 and E.8.2.

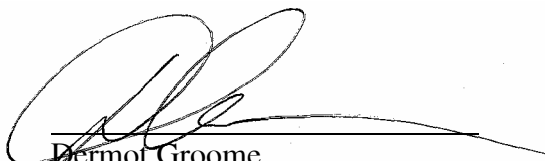
⁴³ The Lazete 1 and 2C excavations and exhumations described in the Reports relate to Scheduled Incidents E.6.1 and E.6.2.

- Rule 65ter #04602: “Excavations and Exhumations at Kozluk in 1999 with Appendix on visits to Konjevici and Potocari”, dated 2 February 2000;⁴⁵
- Rule 65ter #11052: “Interim Report on Excavation and Exhumations at Glogova Site 1, Grave L, carried out in September 2000”, dated 29 October 2000;
- Rule 65ter #04611: “Report on Excavations and Exhumations at the Glogova 1 Mass Grave in 2000”, dated 9 February 2001;
- Rule 65ter #5334: CV for Richard Wright, undated.

3. Rule 94bis(B) requires the Defence to file a notice within thirty days of disclosure of the reports indicating whether it accepts the expert witness statements and whether it wishes to cross-examine the witnesses.

4. The Prosecution may seek to adduce the witnesses’ written evidence pursuant to Rule 92bis. Should the Chamber direct the witnesses’ appearance for cross-examination, the Prosecution may seek to adduce their testimony pursuant to Rule 92ter.

Word Count: 1,876


 Dermot Groome
 Senior Trial Attorney


 Peter Mc Closkey
 Senior Trial Attorney

Dated this 6th day of November 2012
 The Hague, The Netherlands

⁴⁴ The “Red Dam” and Liplje probes and exhumations described in this Report relate to Scheduled Incidents E.7.1 and E.7.2; the Čančari Road probes and exhumations relate to Scheduled Incidents E.8.1, E.8.2, E.9.1, E.9.2 and E.10.1; the Hodžići Road probes and exhumations relate to Scheduled Incidents E.6.1 and E.6.2; and the Zeleni Jadar probes and exhumations relates to Scheduled Incident E.3.1.

⁴⁵ The exhumations at Kozluk described in this Report relate to Scheduled Incidents E.8.1 and E.8.2.