

IT-02-54-R77.5  
D1953-01952  
04 May 2009

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**UNITED  
NATIONS**



International Tribunal for the Prosecution of  
Persons Responsible for Serious Violations of  
International Humanitarian Law Committed in  
the Territory of Former Yugoslavia since 1991

Case No. IT-02-54-R77.5

Date: 4 May 2009

Original: English

**IN A SPECIALLY APPOINTED CHAMBER**

**Before:** Judge Bakone Justice Moloto, Presiding  
Judge Mehmet Güney  
Judge Liu Daqun

**Acting Registrar:** Mr. John Hocking

**Decision of:** 4 May 2009

**IN THE CASE**

**AGAINST**

**FLORENCE HARTMANN**

***PUBLIC***

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**DECISION ON PROSECUTION MOTION TO  
AMEND RULE 65 TER WITNESS LIST**

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**Amicus Curiae Prosecutor**

Mr. Bruce MacFarlane, QC

**Counsel for the Accused**

Mr. Karim A. A. Khan, Counsel  
Mr. Guénaél Mettraux, Co-Counsel

**THE SPECIALLY APPOINTED CHAMBER** (“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”), as reconstituted by the President of the Tribunal on 2 April 2009;<sup>1</sup>

**BEING SEISED OF** the “Prosecution Motion to Amend Rule 65*ter* Witness List”, filed publicly by the *Amicus Curiae* Prosecutor on 4 February 2009 (“Motion”);

**NOTING** that the *Amicus Curiae* Prosecutor requests to further amend the list of witnesses he intends to call at trial by removing Ms. Evelyn Anoya from the witness list because “it has been concluded that her testimony is no longer necessary for the Prosecution case”;<sup>2</sup>

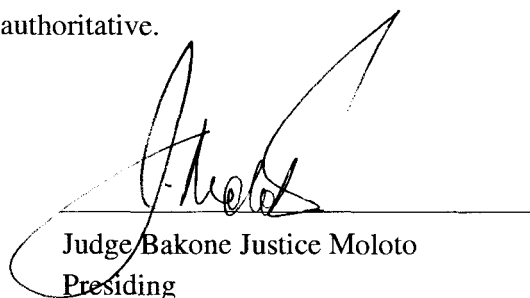
**NOTING** that the Defence has not filed a response to the Motion;

**CONSIDERING** that in the instant case, it is in the interests of justice to shorten the Prosecution’s witness list, which will not result in any prejudice to the accused;

**FOR THE FOREGOING REASONS** and pursuant to Rules 54 and 65 *ter* of the Tribunal’s Rules of Procedure and Evidence;

**HEREBY GRANTS** the Motion.

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



Judge Bakone Justice Moloto  
Presiding

Dated this fourth day of May 2009

At The Hague

The Netherlands

**[Seal of the Tribunal]**

<sup>1</sup> Order Replacing Judges in a Case Before a Specially Appointed Chamber, 2 April 2009.

<sup>2</sup> Motion, para. 5. *See* Submission Pursuant to Oral Decision on Prosecution Motion to Amend Rule 65*ter* Witness and Exhibit Lists, 4 February 2009.