



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-95-9-A
Date: 1 June 2006
Original: English

IN THE APPEALS CHAMBER

Before: Judge Mehmet Güney, Presiding
Judge Mohamed Shahabuddeen
Judge Liu Daqun
Judge Andrézia Vaz
Judge Wolfgang Schomburg

Registrar: Mr. Hans Holthuis

Decision of: 1 June 2006

PROSECUTOR

v.

BLAGOJE SIMIĆ

**DECISION ON BLAGOJE SIMIĆ'S MOTION FOR ADMISSION OF
ADDITIONAL EVIDENCE, ALTERNATIVELY FOR TAKING OF JUDICIAL
NOTICE**

Office of the Prosecutor:

Mr. Peter Kremer

Counsel for the Appellant:

Mr. Igor Pantelić
Mr. Peter Murphy

A handwritten signature in black ink, appearing to be 'D. J. Murphy'.

1. The Appeals Chamber of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (“Appeals Chamber” and “International Tribunal”, respectively) is seized of the “Motion of Blagoje Simić for Admission of Additional Evidence, Alternatively for Taking of Judicial Notice”, filed confidentially by Blagoje Simić (“Appellant”) on 5 April 2006 (“Motion”). The Prosecution filed its partly confidential response on 18 April 2006¹ and the Appellant filed his confidential reply on 23 April 2006.²

II. PROCEDURAL BACKGROUND

2. On 17 October 2003, Trial Chamber II rendered a judgement against the Appellant finding him guilty of persecutions as a crime against humanity and sentencing him to 17 years of imprisonment.³ On 17 November 2003, the Appellant lodged an appeal against the Trial Judgement,⁴ in which he challenges, as a sixteenth ground of appeal, the Trial Chamber’s decision denying him access to medical reports filed confidentially before the Trial Chamber seized of the *Todorović* case⁵ (“*Todorović* Trial Chamber”) relating to the psychiatric examination of Stevan Todorović (“Medical Reports”), a former co-accused of the Appellant who pled guilty and subsequently testified as a witness in the Prosecution’s case against him.⁶

3. On 3 February 2006, the Appeals Chamber, acting “out of an abundance of caution and for the purpose of being able to fully assess the merits of the Appellant’s sixteenth ground of appeal”, *proprio motu* granted to the Appellant and his Defence access to the Medical Reports, subject to certain conditions.⁷ A redacted version of the Medical Reports was disclosed to the Appellant on

¹ Prosecution’s Consolidated Response to Simić’s Additional Evidence Motion and to his Further Submissions of 5 April 2006, Partly Confidential, 18 April 2006 (“Response”).

² Reply of Blagoje Simić to Prosecution’s Consolidated Response to Further Submissions on 16th Ground of Appeal and Motion for Admission of Additional Evidence or Taking of Judicial Notice, Confidential, 24 April 2006 (“Reply”).

³ *Prosecutor v. Blagoje Simić et al.*, Case No.: IT-95-9-T, Judgement, 17 October 2003. On 29 October 2003, Judge Mumba, Presiding Judge, considering that the Judgement rendered on 17 October 2003 contained clerical errors which did not affect in any way its content, recalled the Judgement and issued in its place the judgement accompanying the order to recall: see *Prosecutor v. Blagoje Simić et al.*, Case No. IT-95-9-T, Order Recalling Judgement and Substituting New Judgement, 29 October 2003 (“Trial Judgement”). See Trial Judgement, paras. 115 and 118.

⁴ Appellant Blagoje Simić’s Notice of Appeal, 17 November 2003. See also Appellate Brief of Blagoje Simić, 17 June 2004; Prosecution’s Response Brief, Confidential, 27 July 2004; Public Redacted Version of Prosecution’s Response Brief of 27 July 2004, 19 October 2004; Reply Brief of Blagoje Simić, Partly Confidential, 10 August 2004; Appellant Blagoje Simić’s Amended Notice of Appeal Filed Pursuant to the Decision of the Presiding Judge of 16 September 2004, 22 September 2004.

⁵ *Prosecutor v. Stevan Todorović*, Case No: IT-95-9/1-S (“*Todorović* case”)

⁶ Appellant Blagoje Simić’s Notice of Appeal, 17 November 2003, para. 18. See also Appellate Brief of Blagoje Simić, 17 June 2004, paras 100-109. The Appeals Chamber understands the Appellant to be referring to the Report of Dr. Lecić-Tosevski and the Report of Dr. Soyka referred to by the *Todorović* Trial Chamber as the “Soyka Report” and the “Lecić-Tosevski Report”. See *Prosecutor v. Stevan Todorović*, IT-95-9/1-S, Sentencing Judgement, 31 July 2001 (“*Todorović* Sentencing Judgement”), para. 94.

⁷ Order *Proprio Motu* Granting Access to Confidential Material, 3 February 2006 (“Order Granting Access”), pp. 3-4.

22 February 2006 as a confidential annex to the Appeals Chamber's "Decision on Application of Stevan Todorović for Additional Protective Measures", dated 22 February 2006.

4. On 27 February 2006, the Appellant filed a confidential motion before the Appeals Chamber, in which he requested, *inter alia*, leave to disclose the Medical Reports to an expert "for the purpose of obtaining an expert opinion which would assist the Appeals Chamber and Counsel in evaluating the Appellant's 16th Ground of Appeal".⁸ In a decision dated 15 March 2006, the Appeals Chamber, considering "that, in the circumstances of the case, the Appellant [had] sufficiently demonstrated that the disclosure of the redacted Medical Reports [was] necessary for the preparation of his defence", granted the Appellant leave to disclose the confidential redacted Medical Reports to an expert, and ordered that the Appellant's additional submissions, if any, be filed no later than 5 April 2006.⁹

5. On 5 April 2006, the Appellant filed confidentially the "Further Submissions of Blagoje Simić Relating to Sixteenth Ground of Appeal", to which he attached, as Annex 3, a report written by Dr. Seth W. Silverman – the forensic psychiatric expert to whom the Medical Reports had been disclosed – "dealing with his findings and opinion relating to the possible implications of the medical reports for the reliability of the testimony of Stevan Todorović at the trial of this case."¹⁰

6. In his Motion, the Appellant requests the Appeals Chamber to admit as additional evidence pursuant to Rule 115 of the Rules of Procedure and Evidence of the International Tribunal ("Rules"), both the Medical Reports and the report of Dr. Seth W. Silverman as contained in Annex 3 of his Further Submissions ("Silverman Report").¹¹ Alternatively, "[i]f the Appeals Chamber does not wish to admit additional evidence",¹² the Appellant requests the Appeals Chamber to take judicial notice of the Medical Reports and the Silverman Report pursuant to Rule 94(A) of the Rules.¹³

⁸ Motion of Blagoje Simić (1) for Access to Further Confidential Materials; (2) for Leave to Disclose Confidential Materials to Expert; and (3) to Vary Scheduling Provisions of Orders of 3 February and 17 February 2006, 27 February 2006, paras 2(2) and 9(2).

⁹ Decision on Blagoje Simić's Motion (1) for Access to Further Confidential Materials; (2) for Leave to Disclose Confidential Materials to Expert; and (3) to Vary Scheduling Provisions of Orders of 3 February and 17 February 2006, 15 March 2006. *See* pp. 5, 7.

¹⁰ Further Submissions of Blagoje Simić Relating to Sixteenth Ground of Appeal, 5 April 2006 ("Further Submissions"), para. 1.

¹¹ Motion, para. 1(A) ("Rule 115 Request").

¹² Motion, para. 10 ("Request for Judicial Notice").

II. RULE 115 REQUEST

A. Submissions of the parties

7. The Appellant first contends that there is good cause for the filing of the Rule 115 Request at this late stage on the grounds that he had no access to the Medical Reports until they were disclosed by virtue of the Order Granting Access, and that the Silverman Report was only prepared after the Appeals Chamber authorised him to disclose the Medical Reports to an expert.¹⁴ With respect to their admissibility, the Appellant submits that the Medical Reports were not available at trial because the Trial Chamber had denied him access¹⁵ and that the Medical Reports and the Silverman Report are relevant and credible evidence.¹⁶ The Appellant further submits that the evidence he seeks to have admitted “could have been a decisive factor in the decision at trial” in that it “could have affected the decision of the Trial Chamber to investigate the question of Todorović’s credibility; the admissibility of Todorović’s testimony; the weight to be attached to it; and potentially the outcome of the case”.¹⁷

8. In response, the Prosecution submits that the Rule 115 Request should be denied. It argues that the report of Dr. Lecić-Tosevski (“Lecić-Tosevski Report”) submitted for admission as part of the Medical Reports was available at trial through the *Todorović* Sentencing Judgement and the transcript of Dr. Lecić-Tosevski’s public testimony.¹⁸ It adds that “[a]ny further evidence was available through Witness Todorović”.¹⁹ As to the Silverman Report, the Prosecution submits that “a similar report could have been written on the basis of the oral testimony of Lecić-Tosevski and on relevant evidence which could have been obtained from Todorović in cross examination.”²⁰ The Prosecution contends that the evidence proposed will merely provide evidence available at trial in a different form. In this respect, it emphasises that “evidence is only *new* evidence in the sense of Rule 115, if it was not available at trial ‘in any form whatsoever’.”²¹

¹³ Motion, para. 1(B).

¹⁴ Motion, para. 5.

¹⁵ Motion, para. 6.

¹⁶ Motion, paras 4 and 6, referring to Further Submissions.

¹⁷ Motion, para. 7.

¹⁸ The Appeals Chamber notes that the Prosecution does not discuss the availability of the information contained in the report of Dr. Soyka (“Soyka Report”) as a consequence of its misreading of the Appellant’s Motion. *See* Response, paras 2 and 5, where it affirms that the Appellant does not request the admission of the Soyka Report.

¹⁹ Response, para. 9. *See* also para. 15.

²⁰ Response, para. 18.

²¹ Response, para. 17, referring to *Prosecutor v. Ntagerura et al.*, Case No.: ICTR-99-46-A, Decision on Prosecution Motion for Admission of Additional Evidence, 10 December 2004 (“*Ntagerura et al.* Rule 115 Decision”), para. 9 and *Prosecutor v. Krstić*, Case No.: IT-98-33-A, Decision on Application for Subpoenas, 1 July 2003 (“*Krstić* Subpoenas Decision”), para. 4.

9. While arguing that the Appellant failed to discharge his burden to show that the proposed evidence would have been a decisive factor at trial,²² the Prosecution also contends that it is “clear from the additional evidence itself that it neither could nor would have impacted upon the verdict.”²³ According to the Prosecution, the Medical Reports provide no support for the contention that Stevan Todorović’s memory was affected.²⁴ The Silverman Report, the Prosecution submits, only offers general theoretical observations or speculations and sets out a variety of proposals to explore without drawing any conclusions on the accuracy of Stevan Todorović’s testimony.²⁵

10. In the event that the Appeals Chamber were to grant the admission of the proposed evidence, the Prosecution requests admission of the transcript of Dr. Lecić-Tosevski’s public testimony in the *Todorović* case as rebuttal evidence.²⁶

11. The Appellant replies, *inter alia*, that “if the evidence had been available at trial, the Appeals Chamber’s [Order Granting Access] would have been unnecessary.”²⁷ The Appellant submits that any finding that the evidence of a vital witness testifying against him was unreliable “could well have affected the Trial Chamber’s view of [his] criminal responsibility”.²⁸ Contrary to the Prosecution’s submission, he argues that the Lecić-Tosevski Report provides compelling reasons to doubt the credibility of Stevan Todorović.²⁹

B. Applicable Law

12. The admission of additional evidence on appeal is regulated under Rule 115 of the Rules. In order to be admissible pursuant to this Rule, the evidence put forward must satisfy a number of requirements. The applicant must first demonstrate that the additional evidence tendered on appeal was not available to him at trial in any form,³⁰ or discoverable through the exercise of due

²² Response, paras 9, 22-25.

²³ Response, para. 26.

²⁴ Response, paras 28-33, 39, referring to the Lecić-Tosevski Report, at RP 948, 942, 952 and the Soyka Report, at RP 919.

²⁵ Response, paras 9, 36-38.

²⁶ Response, paras 42-51, 62. The Appeals Chamber notes that, as a consequence of its misreading of the Appellant’s Motion, the Prosecution also requests admission of the Soyka Report as rebuttal evidence although this report is part of the evidence the Appellant seeks to have admitted as additional evidence. *See* Response, paras 40-51, 62.

²⁷ Reply, para. 5.

²⁸ Reply, para. 5.

²⁹ Reply, para. 6.

³⁰ *See, e.g.,* *Krstić* Subpoenas Decision, para. 4; *Ntagerura et al.* Rule 115 Decision, para. 9; *Prosecutor v. Stanislav Galić*, Case No.: IT-98-29-A, Decision on Defence Second Motion for Additional Evidence Pursuant to Rule 115, 21 March 2005 (“*Galić* Rule 115 Decision”), para. 9; *Prosecutor v. Mejakić et al.*, Case No.: IT-02-65-AR11bis.1, Decision on Joint Defense Motion to Admit Additional Evidence before the Appeals Chamber Pursuant to Rule 115, 16 November 2005 (“*Mejakić et al.* Rule 115 Decision”), para. 8; *Prosecutor v. Haradinaj et al.*, Case No.: IT-04-84-

diligence.³¹ The applicant's duty to act with reasonable diligence includes making "appropriate use of all mechanisms of protection and compulsion available under the Statute and the Rules of the International Tribunal to bring evidence on behalf of an accused before the Trial Chamber."³² He then must show that the evidence is both relevant to a material issue and credible, and that it *could* have had an impact on the verdict. In other words, the evidence must be such that, considered in the context of the evidence given at trial, it could demonstrate, in the case of a request by a defendant, that the conviction was unsafe.³³ A party seeking to admit additional evidence bears the burden of specifying with clarity the impact the additional evidence could have upon the Trial Chamber's decision.³⁴

13. If the evidence was available at trial, it may still be admissible on appeal if the applicant can meet the burden of establishing that exclusion of the evidence would lead to a miscarriage of justice, in that if it had been available at trial it *would* have affected the verdict.³⁵

14. Whether the evidence was available at trial or not, the Appeals Chamber has repeatedly recognised that the evidence shall not be assessed in isolation, but in the context of the evidence given at the trial.³⁶

C. Discussion

15. According to Rule 115(A), a party may apply to present additional evidence not later than thirty days from the date for filing of the brief in reply, unless good cause is shown for the delay. The Appeals Chamber notes, as the Appellant concedes, that the Motion was filed long after the expiration of the required time-limit. However, in light of the fact that the Medical Reports were only disclosed to the Appellant on 22 February 2006 pursuant to the Order Granting Access and

AR65.2, Decision on Lahi Brahimaj's Request to Present Additional Evidence Under Rule 115, 3 March 2006, para. 10.

³¹ See, e.g., *Prosecutor v. Krstić*, Case No. IT-98-33-A, Decision on Application for Admission of Additional Evidence on Appeal, 5 August 2003 ("*Krstić* Rule 115 Decision"), p. 3; *Galić* Rule 115 Decision, para. 9.

³² *Prosecutor v. Dusko Tadić*, Case No.: IT-94-1-A, Decision on Appellant's Motion for the Extension of the Time-Limit and Admission of Additional Evidence, 15 October 1998, para. 47; *Prosecutor v. Kupreškić et al.*, IT-95-16-A, Appeal Judgement, 23 Oct 2001 ("*Kupreškić et al.* Appeal Judgement"), para. 50; *Momir Nikolić v. Prosecutor*, Case No.: IT-02-60/1-A, Decision on Motion to Admit Additional Evidence, 9 December 2004, public redacted version ("*Nikolić* Rule 115 Decision"), para. 21.

³³ See, e.g., *Krstić* Rule 115 Decision, p. 3; *Ntagerura et al.* Rule 115 Decision, para. 10; *Prosecutor v. Mladen Naletilić and Vinko Martinović*, Case No. IT-98-34-A, Decision on Naletilić's Amended Second Rule 115 Motion and Third Rule 115 Motion to Present Additional Evidence, 7 July 2005 ("*Naletilić and Martinović* Rule 115 Decision"), para. 12.

³⁴ *Kupreškić et al.* Appeal Judgement, para. 69.

³⁵ See, e.g., *Krstić* Rule 115 Decision, p. 4; *Nikolić* Rule 115 Decision, para. 24; *Naletilić and Martinović* Rule 115 Decision, para. 13.

³⁶ See, e.g., *Kupreškić* Appeal Judgement, paras 66 and 75; *Krstić* Rule 115 Decision, p. 4; *Ntagerura et al.* Rule 115 Decision, para. 12; *Nikolić* Rule 115 Decision, para. 25.

that the Silverman Report could only be prepared on the basis of the said Medical Reports, the Appeals Chamber finds that there is good cause to consider the Motion as validly filed.

16. The Medical Reports were only disclosed to the Appellant on 22 February 2006, after the Appellant tried unsuccessfully to obtain them at trial.³⁷ As a result, they were not “available” at trial in a literal sense. The question for the Appeals Chamber is, however, whether the Appellant could, by exercising due diligence, have obtained the information contained in them during trial. The Appeals Chamber recalls in this respect that the Appellant must demonstrate that the additional evidence tendered on appeal was not available to him at trial “in any form”.³⁸

17. The Appeals Chamber considers that some of the information contained in the Medical Reports could have easily been obtained during trial. For instance, the public testimony of Dr. Lecić-Tosevski before the *Todorović* Trial Chamber, to which the Prosecution refers, contains information regarding the fact that Stevan Todorović manifested “post-traumatic stress disorder which is in Axis I of DSM-IV” and suffered “psychosomatic disorders or psychophysiological disorders”.³⁹ However, a careful examination of the Lecić-Tosevski Report shows that other details concerning Stevan Todorović’s condition were not disclosed during Dr. Lecić-Tosevski’s public testimony.⁴⁰ Likewise, such information was not divulged in the *Todorović* Sentencing Judgement, which only revealed, in very general terms, the final conclusions of Dr. Lecić-Tosevski and Dr. Soyka regarding Stevan Todorović’s psychiatric condition.⁴¹ Insofar as the Prosecution relies on Stevan Todorović’s testimony before the *Simić* Trial Chamber, it does not refer to the relevant transcripts. The Appeals Chamber further notes that, if the Appellant could have cross-examined Stevan Todorović on certain issues contained in the Medical Reports, he could have done it only to the extent that the information was publicly available.

18. The Appeals Chamber therefore finds that the totality of the information offered in the Medical Reports could not have been obtained during trial. Given that the Silverman Report was written on the basis of the Medical Reports, the Appeals Chamber finds that it too was not available at trial within the meaning of Rule 115 of the Rules.

³⁷ See *Prosecutor v. Blagoje Simić et al.*, Case No.: IT-95-9-T, Oral Motion for Access to the Medical Records of Witness Stevan Todorović, 3 September 2002, T. 11981-11983, and Oral Decision on Oral Motion to Access to the Medical Records of Witness Stevan Todorović, 3 September 2002, T. 11985-11986.

³⁸ See *supra*, para. 12, footnote. 30.

³⁹ *Prosecutor v. Stevan Todorović*, Case No: IT-95-9/1-S, Sentencing Hearing, 4 May 2001, T. 28. See also T. 29-52.

⁴⁰ The Appeals Chamber refers, for instance, to specific details regarding Stevan Todorović’s “behavior and psychological state during the war” or “particulars on his traumas or stressors experienced during the war”.

⁴¹ See *Todorović* Sentencing Judgement, para. 94.

19. The Appeals Chamber finds that the Medical Reports and the Silverman Report are credible and that they are relevant to the issues raised by the Appellant's sixteenth ground of appeal. However, the Appeals Chamber is not satisfied that, had the Medical Reports and the Silverman Report been adduced at trial, they could have had an impact on the verdict. Because some of the arguments raised by the parties in this regard are closely inter-related with some of the issues raised in the Appellant's sixteenth ground of appeal, the Appeals Chamber reserves its reasons motivating its conclusion in the present decision. The Appeals Chamber's reasoned opinion will be disclosed to the parties in the final appeal judgement.

20. Accordingly, for reasons which will be fully set forth in its appeal judgement, the Appeals Chamber denies the Appellant's Rule 115 Request.

III. REQUEST FOR JUDICIAL NOTICE

B. Submissions of the Parties

21. In support of his alternative Request for Judicial Notice, the Appellant contends that judicial notice is not "confined to matters of common knowledge in the sense of matters of trivial knowledge held by almost every member of society" but encompasses matters "which are specialized, and which would not be known without resort to background materials supplied by the parties or consulted by a Chamber *proprio motu*."⁴² Relying upon the *Čelebići* case, where the Trial Chamber took judicial notice of a number of documents which, according to the Appellant, contained "many facts which can be described as 'common knowledge' only in the light of sources consulted by the Chamber *proprio motu* or at the suggestion of the parties", he submits that the Appeals Chamber could take judicial notice of the Medical Reports.⁴³ He adds that common law jurisdictions may take judicial notice of facts stated in authoritative sources, "even though such facts may be understandable only with the aid of expert evidence."⁴⁴ He avers that, in such cases, the fact judicially noticed must be beyond reasonable dispute.⁴⁵

22. The Prosecution opposes the Appellant's request on the ground that the reports are not commonly or universally known nor are they generally known in the International Tribunal's jurisdiction as required by Rule 94(A). It also emphasises that the Lecić-Tosevski Report and the Silverman Report are not unchallenged.⁴⁶

⁴² Motion, para. 10.

⁴³ Motion, paras 11, 12.

⁴⁴ Motion, para. 11.

⁴⁵ Motion, para. 11.

⁴⁶ Response, para. 52.

23. In reply, the Appellant argues that he has demonstrated in his motion that the jurisprudence of the International Tribunal “has developed more broadly to encompass a variety of matters which are beyond reasonable dispute, though hardly matters of common knowledge.”⁴⁷

B. Applicable Law and Discussion

24. Rule 94(A) of the Rules reads:

A Trial Chamber shall not require proof of facts of common knowledge but shall take judicial notice thereof.

25. The Appeals Chamber has held that the basis on which judicial notice is taken pursuant to this sub-Rule is that the material is notorious.⁴⁸ Facts of common knowledge under Rule 94(A) of the Rules have been considered to encompass common or universally known facts, such as general facts of history, generally known geographical facts and the laws of nature, as well as those facts that are generally known within a tribunal’s territorial jurisdiction.⁴⁹ Once a Chamber deems a fact to be of common knowledge, it must also determine that the matter is not the subject of reasonable dispute.⁵⁰ Obviously, neither the Medical Reports nor the Silverman Report can be considered as “facts of common knowledge” within the meaning of Rule 94(A): not only are they not notorious, common or universally known facts, but they also are the subject of reasonable dispute as pointed out by the Prosecution. The Appeals Chamber therefore considers that the evidence presented by the Appellant does not qualify for judicial notice pursuant to Rule 94(A) of the Rules.

26. Furthermore, the Appeals Chamber recalls that “Rule 94 of the Rules is not a mechanism that may be employed to circumvent the general Rules governing the admissibility of evidence and litter the record with matters which would not be admitted otherwise.”⁵¹ The Appeals Chamber emphasises that to admit on appeal a fact capable of judicial notice, the requirements provided for by Rule 115 of the Rules must also be satisfied,⁵² which is not the case in this instance. Had the Medical Reports and the Silverman Report met the requirements of Rule 94(A), they would not have been admitted on appeal.

⁴⁷ Reply, para. 7.

⁴⁸ *Momir Nikolić v. Prosecutor*, Case No.: IT-02-60/1-A, Decision on Appellant’s Motion for Judicial Notice, 1 April 2005 (“*Nikolić Judicial Notice Decision*”), para. 10, referring to *Prosecutor v. Slobodan Milošević*, Case No.: IT-02-54-AR73.5, Decision on the Prosecution’s Interlocutory Appeal Against the Trial Chamber’s 10 April 2003 Decision on Prosecution Motion for Judicial Notice of Adjudicated Facts, 28 October 2003, pp. 3 and 4.

⁴⁹ *Nikolić Judicial Notice Decision*, para. 10.

⁵⁰ *Idem*.

⁵¹ *Ibid*, para. 17.

⁵² *Ibid*, paras 17, 18.

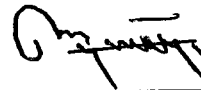
27. For the foregoing reasons, the Appeals Chamber denies the Appellant's alternative Request for Judicial Notice.

IV. DISPOSITION

28. The Appeals Chamber dismisses the Appellant's Motion in its entirety.

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

Done this first day of June 2006,
At The Hague,
The Netherlands.



Judge Mehmet Güney
Presiding Judge

[Seal of the International Tribunal]