



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-04-74-T  
Date: 27 September 2007  
Original: ENGLISH  
French

**IN TRIAL CHAMBER III**

**Before:** Judge Jean-Claude Antonetti  
Judge Árpád Prandler  
Judge Stefan Trechsel  
Reserve Judge Antoine Kesia-Mbe Mindua

**Registrar:** Mr Hans Holthuis

**Order of:** 27 September 2007

**THE PROSECUTOR**

v.

**Jadranko PRLIĆ  
Bruno STOJIĆ  
Slobodan PRALJAK  
Milivoj PETKOVIĆ  
Valentin ĆORIĆ  
Berislav PUŠIĆ**

***PUBLIC***

**ORDER ON ADMISSION OF EVIDENCE RELATIVE TO WITNESS E**

**The Office of the Prosecutor:**

Mr Kenneth Scott  
Mr Douglas Stringer

**Counsel for the Accused:**

Mr Michael Karnavas and Ms Suzana Tomanović for Jadranko Prlić  
Ms Senka Nožica and Mr Karim A. A. Khan for Bruno Stojić  
Mr Božidar Kovačić and Ms Nika Pinter for Slobodan Praljak  
Ms Vesna Alaburić and Mr Nicholas Stewart for Milivoj Petković  
Ms Dijana Tomašegović-Tomić and Mr Dražen Plavec for Valentin Ćorić  
Mr Fahrudin Ibrišimović and Mr Roger Sahota for Berislav Pušić

**TRIAL CHAMBER III** ("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"),

**CONSIDERING** that the Office of the Prosecutor ("Prosecution") has requested the admission of 38 exhibits<sup>1</sup>, while Counsel for the Accused Stojić ("Stojić Defence"), Counsel for the Accused Petković ("Petković Defence"), Counsel for the Accused Ćorić ("Ćorić Defence") and Counsel for the Accused Pušić ("Pušić Defence") have requested the admission of 3,<sup>2</sup> 4,<sup>3</sup> 23,<sup>4</sup> and 4<sup>5</sup> exhibits, respectively, relative to the testimony of Witness E ("Proposed Exhibits") who appeared in court on 10, 11, 12 and 13 September 2007,

**CONSIDERING** that the Trial Chamber has heard the objection from the Pušić Defence<sup>6</sup> ("Pušić Defence Objection") to the admission of Exhibit P 03229 proposed for admission by the Prosecution on the grounds that the document was not shown to Witness E during his appearance in court,

**CONSIDERING** that the Trial Chamber has heard the objection from the Ćorić Defence ("Ćorić Defence Objection"<sup>7</sup>) to the admission of Exhibit P 03216, proposed for admission by the Prosecution, on the grounds that the authenticity of the document has already been called into question by the Ćorić Defence,

**CONSIDERING** that the Trial Chamber has examined each of the Proposed Exhibits based on criteria for admissibility defined in the Decision on the Admission of Evidence of 13 July 2006 ("Decision of 13 July 2006"),

**CONSIDERING** that the Trial Chamber finds that Exhibit P 03229 proposed for admission by the Prosecution was not shown to Witness E during his appearance in court,

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<sup>1</sup> IC 00654.

<sup>2</sup> IC 00655.

<sup>3</sup> IC 00656.

<sup>4</sup> IC 00657.

<sup>5</sup> IC00658.

<sup>6</sup> IC 00664.

<sup>7</sup> IC 00665

**CONSIDERING** that the Trial Chamber furthermore notes that Exhibit P 03216 proposed for admission by the Prosecution shows satisfactory indicia of its authenticity and reliability,

**CONSIDERING** that the Trial Chamber has decided to admit into evidence the exhibits marked as "Admitted" in the Annex attached to this decision on the ground that they were shown to Witness E and have satisfactory indicia of relevance, probative value and reliability,

**CONSIDERING** that the Trial Chamber has decided not to admit into evidence Proposed Exhibits marked "Not admitted" in the Annex attached to this decision on the grounds that they do not conform to the provisions in the Decision of 13 July 2006,

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rules 54 and 89 of the Rules of Procedure and Evidence,

**GRANTS** the requests of the Stojić Defence, the Petković Defence and the Pušić Defence,

**GRANTS IN PART** the requests for admission by the Prosecution and the Ćorić Defence,

**DECIDES TO ADMIT** into evidence the exhibits marked "Admitted" in the Annex attached to this decision.

**REJECTS** the Prosecution's request for admission in all other respects,

**REJECTS** by a majority of the request for admission by the Ćorić Defence in all other respects.

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

*/signed/*


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 Judge Jean-Claude Antonetti  
 Presiding Judge

Done this twenty-seventh day of September 2007

At The Hague

The Netherlands

[Seal of the Tribunal]

**Annex**

<b>Proposed exhibit number</b>	<b>Party proposing the admission of evidence</b>	<b>Admitted/Not admitted/ Marked for identification (MFI)</b>
P 00957	Prosecution	Already admitted on 11 January 2007
P 01986	Prosecution	Admitted
P 01987	Prosecution	Admitted
P 02026	Prosecution	Admitted
P 02042	Prosecution	Admitted
P 02068	Prosecution	Admitted
P 02110	Prosecution	Admitted
P 02170	Prosecution	Admitted
P 02206	Prosecution	Admitted
P 02223	Prosecution	Admitted
P 02456	Prosecution	Admitted
P 02541	Prosecution	Admitted
P 02959	Prosecution	Admitted
P 03034	Prosecution	Admitted
P 03060	Prosecution	Not admitted (grounds: document was not shown)

		to witness)
P 03116	Prosecution	Admitted
P 03216	Prosecution	Admitted
P 03229	Prosecution	Not admitted (grounds: document was not shown to witness)
P 03282	Prosecution	Admitted
P 03380	Prosecution	Admitted
P 03401	Prosecution	Admitted
P 03507	Prosecution	Admitted
P 04101	Prosecution	Admitted
P 04201	Prosecution	Admitted
P 04225	Prosecution	Admitted
P 04263	Prosecution	Admitted
P 04274	Prosecution	Admitted
P 04297	Prosecution	Admitted
P 04299	Prosecution	Admitted
P 04443	Prosecution	Not admitted (grounds: document was not shown to witness)
P 04572	Prosecution	Admitted
P 05100 under seal	Prosecution	Admitted under seal
P 10164	Prosecution	Admitted
P 10165	Prosecution	Admitted
P 10166	Prosecution	Admitted
P 10174	Prosecution	Admitted
P 10183	Prosecution	Admitted
P 10190	Prosecution	Admitted
2D 00511	Stojić Defence	Admitted under seal
2D 00512	Stojić Defence	Admitted under seal
2D 00513	Stojić Defence	Admitted under seal
P 00884	Petković Defence	Admitted
P 02991	Petković Defence	Admitted

P 04922	Petković Defence	Admitted
4D 00629	Petković Defence	Admitted
P 00978	Ćorić Defence	Already admitted on 30 May 2007
P 00990	Ćorić Defence	Admitted
P 02197	Ćorić Defence	Admitted
P 02886	Ćorić Defence	Admitted
P 03161	Ćorić Defence	Admitted
P 03197	Ćorić Defence	Already admitted on 14 December 2006
P 03234	Ćorić Defence	Already admitted on 18 October 2006
P 03367	Ćorić Defence	Admitted
P 03393	Ćorić Defence	Admitted
P 03421	Ćorić Defence	Admitted
P 03441	Ćorić Defence	Not admitted by a majority (grounds: the witness is unable to provide the Chamber information about the authenticity, relevance and probative value of the document).
P 03784	Ćorić Defence	Admitted
P 03793	Ćorić Defence	Admitted
P 04262	Ćorić Defence	Already admitted on 2 October 2006
P 04496	Ćorić Defence	Not admitted by a majority (grounds: the witness is unable to provide the Chamber information about the relevance and probative value of the document).
5D 00538	Ćorić Defence	Already admitted on 16

		October 2006
5D 02056	Ćorić Defence	Admitted
5D 02132	Ćorić Defence	Admitted
5D 02157	Ćorić Defence	Admitted
5D 02172	Ćorić Defence	Not admitted by a majority (grounds: the witness is unable to provide the Chamber information about the relevance and probative value of the document).
5D 02181	Ćorić Defence	Admitted
5D 02182	Ćorić Defence	Admitted
5D 02183	Ćorić Defence	Admitted
6D 00742	Pušić Defence	Admitted under seal
6D 00743	Pušić Defence	Admitted under seal
6D 00745	Pušić Defence	Admitted under seal
6D 00746	Pušić Defence	Admitted under seal