



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: 22 October 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: 22 October 2007

THE PROSECUTOR

v.

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

PUBLIC

ORDER TO ADMIT EVIDENCE REGARDING WITNESS BD

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 17 documents¹ while Counsel for the Accused Prlić (“Prlić Defence”), Counsel for the Accused Stojić (“Stojić Defence”), and Counsel for the Accused Praljak (“Praljak Defence”) have requested the admission of 17,² 1,³ and 11⁴ documents, respectively, related to the testimony of Witness BD (“Proposed Exhibits”), who appeared on 3, 4 and 5 July 2007,

CONSIDERING that the Chamber has examined each of the Proposed Exhibits on the basis of the admissibility criteria set out in its Decision of 13 July 2006 on the admission of evidence (“Decision of 13 July 2006”),

CONSIDERING that the Chamber admits into evidence the documents indicated “Admitted” in the Annex attached to this decision since they were put to Witness BD and bear sufficient indicia of relevance, probative value and reliability,

CONSIDERING that the Chamber does not admit into evidence the Proposed Exhibits indicated “Not Admitted” in the Annex attached to this decision since they do not satisfy the requirements of 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 Prosecution and Stojić Defence,

PARTIALLY GRANTS the requests of the Prlić Defence and Praljak Defence,

ADMITS into evidence the documents indicated “Admitted” in the Annex attached to this decision, **AND**

¹ IC 00625.

² IC 00626.

³ IC 00627.

⁴ IC 00628.

DISMISSES unanimously Exhibit 1D 01642 presented by the Prlić Defence and Exhibits 3D 00892, 3D 00955, 3D 01051, 3D 01053, and IC 00624 presented by the Praljak Defence,
AND

DISMISSES by a majority Exhibits 1D 01336 and 1D 01526 presented by the Prlić Defence and Exhibit 3D 00921 presented by the Praljak Defence.

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this twenty-second day of October 2007

At The Hague

The Netherlands

[Seal of the Tribunal]

Annex

Exhibit Number	Party Proposing Admission of the Exhibit	Admitted/Not Admitted/Marked for Identification (MFI)
P 02421	Prosecution	Admitted
P 03420	Prosecution	Admitted
P 03530	Prosecution	Admitted
P 03900	Prosecution and Prlić Defence	Admitted
P 05331	Prosecution	Admitted
P 06925 (under seal)	Prosecution	Admitted
P 09897 (under seal)	Prosecution and Praljak Defence	Admitted
P 09898 (under seal)	Prosecution	Admitted
P 09899 (under seal)	Prosecution	Admitted
P 09900 (under seal)	Prosecution	Admitted
P 09901 (under seal)	Prosecution	Admitted
P 09902 (under seal)	Prosecution and Praljak Defence	Admitted
P 09903 (under seal)	Prosecution	Admitted
P 09904 (under seal)	Prosecution	Admitted
P 09905 (under seal)	Prosecution	Admitted
P 09906 (under seal)	Prosecution	Admitted
P 09907 (under seal)	Prosecution	Admitted
1D 01336	Prlić Defence	Not admitted by a majority(reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
1D 01356	Prlić Defence	Admitted
1D 01426	Prlić Defence	Admitted
1D 01522	Prlić Defence	Admitted
1D 01526	Prlić Defence	Not admitted by a majority (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
1D 01566	Prlić Defence	Admitted
1D 01567	Prlić Defence	Admitted
1D 01568	Prlić Defence	Admitted
1D 01569	Prlić Defence	Admitted
1D 01591	Prlić Defence	Admitted
1D 01639	Prlić Defence	Admitted
1D 01640	Prlić Defence	Admitted
1D 01641	Prlić Defence	Admitted
1D 01642	Prlić Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
1D 01643	Prlić Defence	Admitted

1D01644	Prlić Defence	Admitted
2D 00501	Stojić Defence	Admitted
3D 00723	Praljak Defence	Admitted
3D 00892	Praljak Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
3D 00921: page 3D25-0306	Praljak Defence	Not admitted by a majority (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
3D 00955: pages 3D25-0595 to 3D25-0598	Praljak Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
3D 01024: pages 3D25-1294 to 3D251299	Praljak Defence	Admitted
3D 01051	Praljak Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
3D 01053	Praljak Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).
3D 01056	Praljak Defence	Admitted
IC 00624	Praljak Defence	Not admitted (reason: witness unable to provide the Chamber with information about the authenticity, relevance and probative value of this document).