



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: 11 December 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: 11 December 2007

THE PROSECUTOR

v.

Jadranko PRLIĆ
Bruno STOJIĆ
Slobodan PRALJAK
Milivoj PETKOVIĆ
Valentin ČORIĆ
Berislav PUŠIĆ

PUBLIC

ORDER TO ADMIT EVIDENCE REGARDING WITNESS DV

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 Čorić
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”) requested the admission of 29 exhibits¹ while Counsel for the Accused Petković (“Petković Defence”), Counsel for the Accused Stojić (“Stojić Defence”), and Counsel for the Accused Praljak (“Praljak Defence”) requested the admission of 2,² 7³ and 23⁴ exhibits, respectively, related to the testimony of Witness DV (“Proposed Exhibits”) who appeared before the Chamber on 1 and 2 October 2007,

CONSIDERING that the Parties have formulated no objections to the admission of the Proposed Exhibits,

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 notes that Exhibits P 02723, P 03545, P 03547, P 04870, P 04623, P 04905, P 02547, 3D 01001, 3D 01006, 3D 01007, 3D01008, 3D 01009 and 3D 01023 have already been admitted and that, consequently, there is no reason to rule on their admission again,

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

CONSIDERING that the Chamber decides not to admit into evidence the Proposed Exhibits indicated “Not Admitted” in the Annex attached to this decision since they are not consistent with the instructions of the Decision of 13 July 2006,

¹ IC 00678.

² IC 00679.

³ IC 00683.

⁴ IC 00682.

FOR THE FOREGOING REASONS,

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

PARTIALLY GRANTS, by majority, the requests of the Prosecution, the Stojić Defence, and the Praljak Defence,

GRANTS unanimously the request of the Petković Defence,

DECIDES unanimously that the documents indicated “Admitted” in the Annex attached to this Decision should be admitted into evidence,

DENIES in all the other respects the requests of the Prosecution, the Stojić Defence and the Praljak Defence for the reasons stated in the Annex attached to this Decision.

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this eleventh day of December 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 02108 (pages R016-6305 to R016-6318 and R016-6320 to R016-6356)	Prosecution and Praljak Defence	Admitted under seal.
P 02419	Prosecution	Admitted under seal.
P 02464	Prosecution	Admitted under seal.
P 02468	Prosecution	Not admitted (Reason: the document was not put to the witness).
P 02547	Prosecution	Already admitted on 15 November 2007.
P 02570	Prosecution	Admitted under seal.
P 02582	Prosecution	Admitted under seal.
P 02583	Prosecution	Admitted under seal.
P 02593	Prosecution	Admitted under seal.
P 02794	Prosecution and Stojić Defence	Admitted under seal.
P 02808	Prosecution and Stojić Defence	Admitted under seal.
P 02902	Prosecution and Praljak Defence	Admitted under seal.
P 03311	Prosecution	Admitted under seal.
P 03371	Prosecution	Admitted under seal.
P 03532	Prosecution	Admitted under seal.
P 03545	Prosecution	Already admitted on 28 September 2007.
P 03547	Prosecution	Already admitted on 14 June 2007.
P 03587	Prosecution	Admitted under seal.
P 03693	Prosecution	Not admitted (Reason: the document was not put to the witness).
P 04214	Prosecution	Admitted under seal.
P 04401	Prosecution and Praljak Defence	Admitted under seal.
P 04472	Prosecution	Admitted under seal.
P 04505	Prosecution	Admitted under seal.
P 04623	Prosecution	Already admitted on 02 July 2007.
P 04870	Prosecution	Already admitted on 17 October 2007.
P 04905	Prosecution	Already admitted on 17 October 2007.
P 10217	Prosecution	Admitted under seal.
P 10269	Prosecution and Praljak Defence	Admitted under seal.
P 10270	Prosecution	Admitted under seal.

4D 00307	Petković Defence	Admitted.
4D 00614	Petković Defence	Admitted.
P 02723	Stojić Defence	Already admitted on 17 October 2007.
P 02768	Stojić Defence	Admitted under seal.
P 02804	Stojić Defence	Admitted under seal.
P 02826	Stojić Defence	Admitted under seal.
P 03615	Stojić Defence	Admitted under seal.
3D 00566	Praljak Defence	Admitted.
3D 00898	Praljak Defence	Admitted.
3D 00936	Praljak Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value of the document).
3D 01000	Praljak Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value of the document).
3D 01001	Praljak Defence	Already admitted on 15 November 2007.
3D 01006	Praljak Defence	Already admitted on 15 November 2007.
3D 01007	Praljak Defence	Already admitted on 15 November 2007.
3D 01008	Praljak Defence	Already admitted on 15 November 2007.
3D 01009	Praljak Defence	Already admitted on 15 November 2007.
3D 01021	Praljak Defence	Admitted.
3D 01023	Praljak Defence	Already admitted on 15 November 2007.
3D 01092	Praljak Defence	Admitted.
3D 00628	Praljak Defence	Admitted.
IC 00673	Praljak Defence	Admitted.
IC 00674	Praljak Defence	Admitted.
P 01859	Praljak Defence	Admitted under seal.
P 02107	Praljak Defence	Not admitted (Reason: the witness commented on a difference exhibit).
P 03812	Praljak Defence	Admitted.
P 04857	Praljak Defence	Admitted.