



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 ĆORIĆ  
Berislav PUŠIĆ**

***PUBLIC***

**ORDER TO ADMIT EVIDENCE REGARDING WITNESS RAY LANE**

**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”) requested the admission of 10 pieces of evidence<sup>1</sup> while Counsel for the Accused Prlić (“Prlić Defence”), Counsel for the Accused Stojić (“Stojić Defence”), Counsel for the Accused Praljak (“Praljak Defence”) and Counsel for the Accused Petković (“Petković Defence”) requested the admission of 2,<sup>2</sup> 11,<sup>3</sup> 8,<sup>4</sup> and 6<sup>5</sup> pieces of evidence, respectively, related to the testimony of Witness Ray Lane (“Proposed Exhibits”) who appeared before the Chamber on 15 and 17 October 2007,

**CONSIDERING** that the Chamber has examined the objections presented by the Prosecution and the Ćorić Defence to the admission of the Proposed Exhibits,<sup>6</sup>

**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 01105 and P 01238 have already been admitted and that, consequently, the requests in respect thereof are moot,

**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 Ray Lane 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 do not fulfil the instructions of the Decision of 13 July 2006,

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<sup>1</sup> IC 00700.

<sup>2</sup> IC 00695.

<sup>3</sup> IC 00701.

<sup>4</sup> IC 00702.

<sup>5</sup> IC 00703.

<sup>6</sup> IC 00704; IC 00705; IC 00706.

**FOR THE FOREGOING REASONS,**

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

**GRANTS** the requests for admission of the Prlić Defence,

**PARTIALLY GRANTS** the requests for admission of the Prosecution, the Stojić Defence, the Praljak Defence and the Petković Defence,

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

**DECIDES** by a majority to reject Exhibits 2D 00546, 3D 01095, P 01322, P 01341 for the reasons stated in the Annex attached to this Decision.

**DENIES** in all the other respects the requests for admission of the Prosecution and the Petković 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

| <b>Exhibit Number</b> | <b>Party Proposing Admission of the Exhibit</b> | <b>Admitted/Not Admitted/Marked for Identification (MFI)</b>  |
|-----------------------|---|---|
| IC 00693              | Prosecution                                     | Admitted.   |
| P 00682               | Prosecution                                     | Admitted.   |
| P 01155               | Prosecution                                     | Already admitted on 12 June 2007.   |
| P 01214               | Prosecution                                     | Admitted.   |
| P 01238               | Prosecution                                     | Already admitted on 8 November 2007.  |
| P 01303               | Prosecution                                     | Admitted under seal.  |
| P 01309               | Prosecution                                     | Admitted under seal.  |
| P 10288               | Prosecution                                     | Admitted under seal.  |
| P 10289               | Prosecution                                     | Admitted.   |
| P 10319               | Prosecution                                     | Admitted in part. <sup>7</sup>  |
| 1D 01053              | Prlić Defence                                   | Admitted.   |
| 1D 01521              | Prlić Defence                                   | Admitted.   |
| 2D 00546              | Stojić Defence                                  | Not admitted (Reason: witness unable to provide the Chamber with information about the relevance of this document within the framework of his testimony). |
| 2D 00548              | Stojić Defence                                  | Admitted.   |
| 2D 00549              | Stojić Defence                                  | Admitted.   |
| 2D 00550              | Stojić Defence                                  | Admitted.   |
| 2D 00551              | Stojić Defence                                  | Admitted.   |
| 2D 00559              | Stojić Defence                                  | Admitted.   |
| 2D 00560              | Stojić Defence                                  | Admitted.   |
| 2D 00561              | Stojić Defence                                  | Admitted.   |
| 2D 00562              | Stojić Defence                                  | Admitted.   |
| 2D 00563              | Stojić Defence                                  | Admitted.   |
| 2D 00564              | Stojić Defence                                  | Admitted.   |
| IC 00696              | Praljak Defence                                 | Admitted.   |
| IC 00697              | Praljak Defence                                 | Admitted.   |
| IC 00698              | Praljak Defence                                 | Admitted.   |
| IC 00699              | Praljak Defence                                 | Admitted.   |
| 2D 00458              | Praljak Defence                                 | Admitted.   |
| 3D 01094              | Praljak Defence                                 | Admitted.   |
| 3D 01095              | Praljak Defence                                 | Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing).        |
| 3D 01096              | Praljak Defence                                 | Admitted.   |
| P 01214               | Petković Defence                                | Admitted.   |
| P 01286               | Petković Defence                                | Admitted.   |

<sup>7</sup> Only the passages of the English document are admitted shown in *e-court* on pages: 3;, 9, para. 37; 10, paras. 45, 47, 50; 18, para. 96; 21, para. 112; 22.

|         |                  |  |
|---------|------------------|--|
| P 01322 | Petković Defence | Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing). |
| P 01341 | Petković Defence | Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing)  |
| P 01467 | Petković Defence | Admitted.  |
| P 01481 | Petković Defence | Not admitted (Reason: Defence Counsel did not question the witness about this document).   |