



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: 15 January 2008
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: 15 January 2008

THE PROSECUTOR

v.

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

PUBLIC

**ORDER TO ADMIT EVIDENCE RELATIVE TO
WITNESS ANTOON VAN DER GRINTEN**

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 32 exhibits¹ while Counsel for the Accused Stojić (“Stojić Defence”), Counsel for the Accused Praljak (“Praljak Defence”), Counsel for the Accused Čorić (“Čorić Defence”) and Counsel for the Accused Pušić (“Pušić Defence”) requested the admission of 10,² 10³, 2⁴ and 6⁵ exhibits, respectively, related to the testimony of Witness Antoon Van der Grinten (“Proposed Exhibits”) who appeared before the Chamber on 10 and 11 July 2007,

CONSIDERING that the Chamber has examined the objections formulated by the Prosecution to the admission of the Proposed Exhibits,⁶

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 03900, 2D 00322, 3D 00844 (page 3D23-0229) P 02985, P 09214, P 09218 and P 09232 have already been admitted and that there is no reason to rule on their admission again,

CONSIDERING that the Chamber decides to admit into evidence the Proposed Exhibits indicated “Admitted” in the Annex attached to this decision since they were put to Witness Antoon Van der Grinten 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 00635.

² IC 00644.

³ IC 00636.

⁴ IC 00637.

⁵ IC 00638.

⁶ IC 00647; IC 00648; IC 00649.

Annex

Exhibit number	Party proposing admission of exhibit	Admitted/Not admitted/ Marked for identification (MFI)
P 02496	Prosecution/ Pušić Defence	Admitted under seal
P 02550	Prosecution	Admitted under seal
P 02564	Prosecution	Admitted under seal
P 02600	Prosecution	Admitted under seal
P 02622	Prosecution	Admitted under seal
P 02634	Prosecution	Admitted under seal
P 02635	Prosecution	Admitted under seal
P 02661	Prosecution	Admitted
P 02675	Prosecution	Admitted under seal
P 02678	Prosecution	Admitted under seal
P 02703	Prosecution	Admitted under seal
P 02721	Prosecution	Admitted under seal
P 02731	Prosecution	Admitted under seal
P 02735	Prosecution	Admitted under seal
P 02744	Prosecution	Admitted
P 02756	Prosecution	Admitted under seal
P 02782	Prosecution	Admitted under seal
P 02806	Prosecution	Admitted under seal
P 02833	Prosecution	Not admitted (reason: document not presented to witness at the hearing)
P 02898	Prosecution	Admitted under seal
P 02923	Prosecution	Admitted under seal
P 02935	Prosecution	Admitted
P 02941	Prosecution	Admitted under seal
P 03007	Prosecution	Admitted under seal
P 03085	Prosecution	Admitted under seal
P 03172	Prosecution	Admitted under seal
P 03181	Prosecution	Admitted
P 03184	Prosecution	Admitted under seal
P 03369	Prosecution	Admitted under seal
P 03900	Prosecution	Moot (document already admitted by Decision of 22 October 2007)
P 10025	Prosecution	Admitted
2D 00116	Prosecution/ Stojić Defence	Admitted
2D 00119	Stojić Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)

2D 00120	Stojić Defence	Admitted
2D 00123	Stojić Defence	Admitted
2D 00322	Stojić Defence	Moot (document already admitted by the Decision of 14 February 2007)
2D 00455	Stojić Defence	Admitted
2D 00504	Stojić Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)
2D 00505	Stojić Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)
2D 00506	Stojić Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)
P 04430	Stojić Defence	Admitted
IC 00629	Praljak Defence	Admitted under seal
3D 00746 pages 3D22-0520 and 3D22-0526	Praljak Defence	Partially admitted (pages 3D22-0520 and 3D22-0526)
IC 00630	Praljak Defence	Admitted
3D 00844 page 3D23-0229	Praljak Defence	Moot (page 3D23-0229 already admitted by the Decision of 26 April 2007)
IC 00631	Praljak Defence	Admitted
IC 00632	Praljak Defence	Admitted
IC 00633	Praljak Defence	Admitted
IC 00634	Praljak Defence	Admitted
3D 00703	Praljak Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)
3D 01062	Praljak Defence	Not admitted (reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing)
P 02963	Čorić Defence	Not admitted (reason:

		witness unable to explain to the Chamber the authenticity, relevance or probative value of the document at the hearing
P 02985	Čorić Defence	Moot (document already admitted by the Decision of 11 December 2007)
P 02670	Pušić Defence	Admitted under seal
P 09214	Pušić Defence	Moot (document already admitted under P 09689 on 2 October 2006)
P 09218	Pušić Defence	Moot (document already admitted under P 09689 on 2 October 2006)
P 09232	Pušić Defence	Moot (document already admitted under P 09689 on 2 October 2006)
6D 00606	Pušić Defence	Admitted