



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-04-82-T  
Date: 29 January 2008  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Kevin Parker, Presiding  
Judge Christine Van Den Wyngaert  
Judge Krister Thelin

**Registrar:** Mr Hans Holthuis

**Decision:** 29 January 2008

**PROSECUTOR**  
v.  
**LJUBE BOŠKOSKI**  
**JOHAN TARČULOVSKI**

**PUBLIC**

**DECISION ON PROSECUTION'S MOTION TO ADMIT INTO  
EVIDENCE TRANSCRIPTS OF VIDEO MATERIAL  
WITH ANNEXES A-M**

**The Office of the Prosecutor:**

Mr Dan Saxon

**Counsel for the Accused:**

Ms Edina Rešidović and Mr Guénaél Mettraux for Ljube Boškosi  
Mr Antonio Apostolski and Ms Jasmina Zivković for Johan Tarčulovski

**TRIAL CHAMBER II** (“Chamber”) of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Former Yugoslavia since 1991 (“Tribunal”);

**BEING SEIZED** of the “Prosecution’s Motion to Admit into Evidence Transcripts of Video Material with Annexes A-M” (“Motion”) filed by the Office of the Prosecutor (“Prosecution”) on 3 January 2008, in which the Prosecution seeks to admit into evidence transcripts (“Transcripts”) that correspond to 12 video clips that have already been admitted into evidence (“Video Clips”);

**NOTING** that while the Chamber has previously admitted into evidence the Video Clips during the course of the Prosecution’s case, the Transcripts which are the subject of this Motion have not yet been tendered into evidence;

**NOTING** that on 6 December 2007, at the close of their case, the Prosecution made an oral submission seeking to tender into evidence the Transcripts for the Video Clips;

**NOTING** that the Chamber indicated that the request to admit the Transcripts should be made by way of a written motion;

**NOTING** that Counsel for Ljube Boškoski (“Boškoski Defence”) filed a response to the Motion on 17 January 2008 indicating that it does not object to the Motion but that it has identified a number of problems with the translation in some of the Transcripts, which it undertakes to submit to CLSS for official verification;

**NOTING** that Counsel for Johan Tarčulovski (“Tarčulovski Defence”) did not file a response;

**CONSIDERING** that pursuant to Rule 89(C) of the Rules of Procedure and Evidence of the Tribunal, the Chamber may admit any relevant evidence which it deems to have probative value;

**CONSIDERING** that the Chamber has already determined that the Video Clips are of sufficient relevance and probative value to be admitted into evidence;

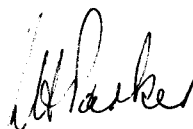
**CONSIDERING** that the Transcripts correspond to the Video Clips and that their admission into evidence will therefore be in the interests of justice;

For the foregoing reasons the Chamber

**GRANTS** the Motion; and

**REQUESTS** the Registry to assign corresponding exhibit numbers to the admitted transcripts.

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



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Judge Kevin Parker  
Presiding

Dated this 29<sup>th</sup> day of January 2008  
At The Hague  
The Netherlands

[Seal of the Tribunal]