

UNITED  
NATIONS

IT-98-29/1-T  
① S127 - ① S125  
24 September 2007

S127 9B.



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-98-29/1-T

Date: 24 September 2007

Original: English

**IN TRIAL CHAMBER III**

**Before:** Judge Patrick Robinson, Presiding  
Judge Antoine Kesia-Mbe Mindua  
Judge Frederik Harhoff

**Registrar:** Mr. Hans Holthuis

**Date:** 24 September 2007

**PROSECUTOR**

v.

**DRAGOMIR MILOŠEVIĆ**

**PUBLIC**

---

**DECISION ON DEFENCE MOTION TO RESOLVE  
ISSUES CONCERNING ADMINISTRATION OF  
EVIDENCE**

---

**The Office of the Prosecutor:**

Mr. Stefan Waespi  
Ms. Carolyn Edgerton  
Mr. John Docherty

**Counsel for the Accused:**

Mr. Branislav Tapušković  
Ms. Branislava Isailović

**TRIAL CHAMBER III** (“Trial 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”);

**BEING SEISED** of the “Defence Motion to Resolve Issues concerning Administration of Evidence”, filed on 7 September 2007 (Motion), in which the Defence requests the Trial Chamber to assign exhibit numbers to documents which have been admitted, to mark three witness statements for identification (“MFI”) and to decide on the admission of a number of documents;

**NOTING** that the Prosecutor did not respond to the Motion;

**NOTING** that insofar as the Motion pertains to the assignment of exhibit numbers to documents which have already been admitted, the Court Officer of this case, by memorandum of 12 September 2007, informed the parties and the Trial Chamber of the exhibit numbers which have been assigned to those documents;

**CONSIDERING** that the first request in the Motion therefore need not be addressed in this decision;

**NOTING** that the Trial Chamber, by oral decision of 25 July 2007, ruled that the statements of witnesses T20, T40 and T44 were to be admitted pursuant to Rule 92 *bis* of the Rules of Procedure and Evidence (“Rules”), upon fulfilment of the certification procedure set out in Rule 92 *bis* (B) of the Rules;

**NOTING** that the parties are expected to file their final briefs on 1 October 2007;

**CONSIDERING** that it would be helpful for the parties and the Trial Chamber to be able to identify the statements of T20, T40 and T44 by MFI numbers, which numbers will become the exhibit numbers upon completion of the certification procedure;

**NOTING** that the Trial Chamber, by oral decision of 25 July 2007, deferred its decision on the admission of 62 documents tendered with witness Snežana Marinković -Jekić until such time that the Trial Chamber received the translation of those documents;

**NOTING** that the Trial Chamber has now been provided with the translation of 37 of those 62 documents;

**CONSIDERING** that all documents, except the document 255D, are relevant and probative, and thus are admitted into evidence;

**FOR THE FOREGOING REASONS,**

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

**ADMITS** into evidence the following documents:

224D, 226D, 227D, 228D, 229D, 231D, 233D, 234D, 235D, 237D, 238D, 242D, 245D, 250D, 251D, 256D, 257D, 258D, 260D, 261D, 262D, 263D, 264D, 265D, 266D, 267D, 268D, 269D, 270D, 271D, 272D, 273D, 274D, 275D, 313D, 317D;

**REQUESTS** the Registrar, in light of the limited time available to the Parties until the filing of their final briefs, to assign exhibit numbers to the admitted documents listed above and MFI numbers to the statements of witnesses T20, T40 and T44 as soon as possible, but no later than 27 September 2007;

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



---

Judge Patrick Robinson  
Presiding

Dated this twenty-fourth day of September 2007

At The Hague

The Netherlands

**[Seal of the Tribunal]**