



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: 29 March 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: 29 March 2007

THE PROSECUTOR

v.

Jadranko PRLIĆ
Bruno STOJIC
Slobodan PRALJAK
Milivoj PETKOVIĆ
Valentin ĆORIĆ
Berislav PUŠIĆ

ORDER TO ADMIT EVIDENCE REGARDING WITNESS DE

The Office of the Prosecutor:

Mr Kenneth Scott
Mr Daryl Mundis

Counsel for the Accused:

Mr Michael Karnavas and Ms Suzana Tomanović for Jadranko Prlić
Ms Senka Nožica and Mr Peter Murphy 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”) moved for the admission of 23 documents¹ and the Counsel for the Accused Prlić (“Prlić Defence”), the Counsel for the Accused Praljak (“Praljak Defence”) and the Counsel for the Accused Petković (“Petković Defence”), moved for the admission of, respectively, 19,² 4³ and 6⁴ documents relating to the testimony of Witness DE, who appeared before the Chamber on 12, 13 and 14 March 2007 (“Proposed Exhibits”),

CONSIDERING that the Chamber has heard the objections raised by the Petković Defence against the admission of a document proposed by the Prosecution⁵ and the response to this objection filed confidentially by the Prosecution,⁶

CONSIDERING that the Chamber has examined each of the Proposed Exhibits based on the criteria for admissibility defined in its Decision on Admission of Evidence of 13 July 2006,

CONSIDERING that the Chamber hereby decides to admit into evidence the documents labelled “admitted” in the Annex attached to this decision because they were submitted to Witness DE and have satisfactory indicia of relevance, probative value and reliability,

FOR THE FOREGOING REASONS,

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

GRANTS the motions of the Praljak Defence and the Petković Defence,

PARTIALLY GRANTS the motions of the Prosecution and the Prlić Defence,

DECIDES that there are grounds to admit into evidence the documents labelled “admitted” in the Annex attached to this decision, AND

DISMISSES the motions of the Prosecution and the Prlić Defence in all other respects.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

¹ IC 00486, under seal.

² IC 00487, under seal.

³ IC 00488.

⁴ IC 00489, under seal.

⁵ IC 00494.

⁶ “Prosecution Submission Concerning Petković Objection to Exhibit P 06022”, 23 March 2007.

Done this 29th day of March 2007
At The Hague
The Netherlands

[Seal of the Tribunal]

Annex

Proposed exhibit no.	Party proposing the admission of evidence	Admitted/ Not admitted/ Marked for identification (MFI)
1D 00921	Prlić Defence	Admitted
1D 00926	Prlić Defence	Admitted
1D 00927	Prlić Defence	Admitted
1D 00928	Prlić Defence	Admitted
1D 00929	Prlić Defence	Admitted
1D 00930	Prlić Defence	Admitted
1D 00932	Prlić Defence	Admitted
1D 01215	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance or probative value)
1D 01261	Prlić Defence	Admitted
1D 01262	Prlić Defence	Admitted
1D 01263	Prlić Defence	Admitted
1D 01264	Prlić Defence	Admitted
1D 01265	Prlić Defence	Admitted
1D 01266	Prlić Defence	Admitted
1D 01267	Prlić Defence	Admitted
1D 01268	Prlić Defence	Admitted
1D 01269	Prlić Defence	Admitted
1D 01270	Prlić Defence	Admitted
1D 01273	Prlić Defence	Admitted
3D 00801	Praljak Defence	Admitted
3D 00823	Praljak Defence	Admitted
3D 00830	Praljak Defence	Admitted
4D 00510	Petković Defence	Admitted
4D 00512	Petković Defence	Admitted
4D 00514	Petković Defence	Admitted
4D 00515	Petković Defence	Admitted
P 00286	Prosecution	Admitted
P 00296	Prosecution	Admitted
P 00319 under seal	Prosecution	Admitted under seal.
P 00519	Prosecution	Admitted
P 02758	Prosecution	Admitted
P 02765	Prosecution	Admitted
P 02952 under seal	Prosecution	Admitted under seal.
P 03337	Prosecution	Admitted
P 04342 under seal	Prosecution	Admitted under seal.
P 05068 under seal	Prosecution	Admitted under seal.
P 06022	Prosecution	Admitted
P 06028	Prosecution	Admitted
P 06047	Prosecution	Admitted
P 06069	Prosecution	Admitted
P 06180	Prosecution	Admitted
P 06180	Prosecution	Admitted
P 06038	Petković Defence	Admitted
P 06639	Prosecution	Admitted

P 06655	Prosecution	Admitted
P 06964	Prosecution	Admitted
P 07386	Petković Defence	Admitted
P 08086 under seal	Prosecution	Admitted under seal.
P 09276	Prosecution	Already admitted on 2 October 2006.
P 09811	Praljak Defence	Admitted
P 09813	Prosecution	Not admitted (reason: the document was not presented to the witness in court)
P 09892 – AND 0605-8657-0605-8657 under seal AND 0070-7181-0070-7224 under seal.	Prosecution	Admitted under seal.