



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: 22 June 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: 22 June 2007

THE PROSECUTOR

v.

**Jadranko PRLIĆ
Bruno STOJIĆ
Slobodan PRALJAK
Milivoj PETKOVIĆ
Valentin ĆORIĆ
Berislav PUŠIĆ**

ORDER TO ADMIT EVIDENCE REGARDING WITNESS RUDY GERRITSEN

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 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 18 documents¹ and that and that Counsel for the Accused Stojić (“Stojić Defence”)², Counsel for the Accused Praljak (“Praljak Defence”)³ and Counsel for the Accused Petković (“Petković Defence”)⁴ moved for the admission of, respectively, 4, 14 and 1 documents relating to the testimony of Witness Rudy Gerritsen, who appeared before the Chamber on 29 and 30 May 2007 (“Proposed Exhibits”),

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 (“Decision 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 Rudy Gerritsen and have satisfactory indicia of relevance, probative value and reliability,

CONSIDERING that the Chamber hereby decides by a majority not to admit into evidence the documents labelled “not admitted” in the Annex attached to this decision because they are not in conformity with the instructions of the Decision of 13 July 2006,

FOR THE FOREGOING REASONS,

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

GRANTS the motions of the Prosecution, the Stojić Defence and the Petković Defence,

PARTIALLY GRANTS the motion of the Praljak Defence,

DECIDES to admit into evidence the documents labelled “admitted” in the Annex attached to this decision, **AND**

DISMISSES the motion of the Praljak Defence in all other respects.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this twenty-second day of June 2007
At The Hague
The Netherlands

¹ IC 00591.

² IC 00588.

³ IC 00589.

⁴ IC 00590.

[Seal of the Tribunal]

Annex

Proposed exhibit no.	Party proposing the Admission of evidence	Admitted/ Not admitted/ Marked for identification (MFI)
P 10030	Prosecution	Admitted
P 03909 under seal	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 04307 under seal	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 04549 under seal	Prosecution	Admitted under seal
P 04598 under seal	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 09619	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 09621	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 09627	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 09629	Prosecution	Admitted
P 09630	Prosecution	Already admitted on 16 October 2006 (Peter Hauenstein)
P 09631	Prosecution	Admitted
P 09634	Prosecution	Admitted
P 09636	Prosecution	Admitted
P 09638	Prosecution	Admitted
P 09653	Prosecution	Admitted
P 09654	Prosecution	Admitted
P 09657	Prosecution	Admitted
P 09661	Prosecution	Admitted
2D 00461	Stojić Defence	Admitted
2D 00464	Stojić Defence	Admitted
2D 00466	Stojić Defence	Admitted
2D 00468	Stojić Defence	Admitted under seal
3D 00330	Praljak Defence	Admitted
3D 00615	Praljak Defence	Admitted
3D 00635	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
3D 00741	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
3D 00942 pp. BCS 3D25-0439 and 3D25-0508	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
3D 00960	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
3D 00967	Praljak Defence	Admitted
3D 00979	Praljak Defence	Admitted
3D 00981	Praljak Defence	Admitted

3D 00990 pages 3D25-1042 3D25-1164 3D25-1165 3D25-1184 3D25-1185	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
3D 00991	Praljak Defence	Admitted under seal
P 05162 under seal	Praljak Defence	Admitted under seal
P 03771 under seal	Praljak Defence	Not admitted (reason: witness unable to clarify to the Chamber its authenticity, relevance and probative value in court)
IC 00587	Praljak Defence	Admitted
P 09672	Petković Defence	Admitted