



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: 9 July 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:** 9 July 2007

**THE PROSECUTOR**

v.

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

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**ORDER TO ADMIT EVIDENCE REGARDING WITNESS BO PELLNAS**

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**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 (“the Tribunal”),

**CONSIDERING** that the Office of the Prosecutor (“the Prosecution”) requested the admission of 35 exhibits,<sup>1</sup> and that Counsel for the Accused Prlić (“the Prlić Defence”), Counsel for the Accused Stojić (“the Stojić Defence”), Counsel for the Accused Praljak (“the Praljak Defence”), Counsel for the Accused Petković (“the Petković Defence”) and Counsel for the Accused Ćorić (“the Ćorić Defence”) requested the admission of 14,<sup>2</sup> 12,<sup>3</sup> 4,<sup>4</sup> 11<sup>5</sup> and 1<sup>6</sup> piece of evidence, respectively, related to the testimony of Witness Bo Pellnas who appeared before the Chamber on 5, 6 and 7 June 2007 (“Proposed Exhibits”),

**NOTING** the “Decision on Admission of Evidence” rendered by the Chamber on 13 July 2006 (“Decision of 13 July 2006”),

**CONSIDERING** that the Chamber heard the objections raised by the Prosecution to the admission of Exhibits P 01970, 3D 00998 and 3D 00958 tendered for admission by the Praljak Defence, Exhibits 4D 00557 and 4D 00599 tendered for admission by the Petković Defence, Exhibit 5D 02052 tendered for admission by the Ćorić Defence, Exhibits 1D 01539, 1D 01546, 1D 01549, ID 01552 and IC 00595 tendered for admission by the Prlić Defence and Exhibits 2D 00288, 2D 00473, 2D 00474 and 2D 00478 tendered for admission by the Stojić Defence<sup>7</sup> as well as the responses to those objections by the Praljak Defence<sup>8</sup> and the Ćorić Defence,<sup>9</sup>

**CONSIDERING** that the Chamber examined each of the Proposed Exhibits on the basis of the admissibility criteria set out in the Decision of 13 July 2006 while also taking into account the objections raised by the Parties,

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<sup>1</sup> IC 00597.

<sup>2</sup> IC 00598.

<sup>3</sup> IC 00599.

<sup>4</sup> IC 00600.

<sup>5</sup> IC 00601.

<sup>6</sup> IC 00602.

<sup>7</sup> IC 00604.

<sup>8</sup> IC 00605.

<sup>9</sup> IC 00606.

**CONSIDERING** that the Chamber has decided to admit into the record the Exhibits indicated “Admitted” in the Annex attached to this decision since they were put to Witness Bo Pellnas and present sufficient indicia of relevance, probative value and reliability,

**CONSIDERING** that the Chamber has decided not to admit into the record the Proposed Exhibits indicated “Not Admitted” in the Annex attached to this decision since they are not in conformity with the instructions set out in the Decision of 13 July 2006,

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rules 54 and 89 of the Rules of Procedure and Evidence;

**GRANTS** the request of the Ćorić Défense,

**PARTIALLY GRANTS** the requests of the Prosecution, the Prlić Defence, the Stojić Defence, the Praljak Defence and the Petković Defence,

**ADMITS** into the record the Exhibits indicated “Admitted” in the Annex attached to this decision **AND**

**DECIDES** by a majority of the Judges of the Chamber to:

**DENY** the remainder of the requests of the Prosecution, the Prlić Defence, the Stojić Defence, the Praljak Défense and the Petković Defence for the reasons set out above and in the Annex attached to this decision.

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



Annex

<b>Exhibit Number</b>	<b>Party Proposing Admission of the Exhibit</b>	<b>Admitted/Not admitted/Marked for Identification (MFI)</b>
1D 00892	Prlić Defence	Admitted.
1D 01539	Prlić Defence	Admitted.
1D 01543	Prlić Defence	Admitted.
1D 01546	Prlić Defence	Admitted.
1D 01547	Prlić Defence	Admitted.
1D 01548	Prlić Defence	Admitted.
1D 01549	Prlić Defence	Admitted.
1D 01551	Prlić Defence	Admitted.
1D 01552	Prlić Defence	Not admitted by majority decision (reasons: document not shown to witness in court).
1D 01557	Prlić Defence	Admitted.
2D 00288	Stojić Defence	Admitted.
2D 00470	Stojić Defence	Admitted.
2D 00471	Stojić Defence	Admitted.
2D 00472	Stojić Defence	Admitted.
2D 00473	Stojić Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
2D 00474	Stojić Defence	Admitted.
2D 00478	Stojić Defence	Admitted.
3D 00958	Praljak Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
3D 00998	Praljak Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
4D 00333	Petković Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
4D 00472	Stojić Defence	Admitted.
4D 00557	Petković Defence	Already admitted on 14 June 2007.
4D 00599	Petković Defence	Not admitted by majority decision (reason: witness unable

		to demonstrate relevance and probative value of document to the Chamber).
5D 02052	Défense Ćorić	Admitted.
IC 00595	Prlić Defence	Admitted.
IC 00596	Praljak Defence	Admitted.
P 00205	Prosecution	Admitted.
P 00339	Prlić Defence	Admitted.
P 00487	Prosecution	Already admitted on 14 June 2007.
P 00752	Prosecution	Already admitted on 12 June 2007.
P 00785	Prosecution	Admitted.
P 01205	Petković Defence	Admitted.
P 01804	Prosecution	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
P 01808	Prosecution	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
P 01929	Stojić Defence	Admitted.
P 01942	Petković Defence	Admitted.
P 01961	Petković Defence	Admitted.
P 01962	Stojić Defence	Admitted.
P 01964	Stojić Defence	Already admitted on 11 January 2007.
P 01965	Prosecution	Admitted.
P 01970	Praljak Defence	Already admitted on 15 February 2007.
P 01972	Stojić Defence	Not admitted by majority decision (reason: document not shown to witness in court).
P 01980	Prosecution	Admitted.
P 01981	Stojić Defence	Already admitted on 15 June 2006.
P 02016	Petković Defence	Admitted.
P 02054	Prosecution	Already admitted on 11 January 2007.
P 02059	Petković Defence	Admitted.
P 02097	Petković Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).

P 02114	Petković Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
P 02155	Petković Defence	Admitted.
P 02254	Prosecution	Admitted.
P 02265	Prosecution	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
P 02269	Prosecution	Already admitted on 11 January 2007.
P 02276	Prosecution	Admitted.
P 02913	Prlić Defence	Not admitted by majority decision (reason: witness unable to demonstrate relevance and probative value of document to the Chamber).
P 03094	Prosecution	Admitted.
P 03148	Prosecution	Admitted.
P 03376	Prosecution	Admitted.
P 04464	Prosecution	Admitted.
P 04785	Prosecution	Already admitted on 2 July 2007.
P 05085	Prosecution	Already admitted on 14 June 2007.
P 05127	Prosecution	Admitted.
P 05234	Prosecution	Already admitted on 14 June 2007.
P 05519	Prosecution	Admitted.
P 05757	Prosecution	Admitted.
P 07255	Prosecution	Already admitted on 14 June 2007.
P 07584	Prosecution	Admitted.
P 07789	Prosecution	Already admitted on 27 September 2006.
P 07866	Prlić Defence	Admitted.
P 07904	Prosecution	Admitted.
P 07913	Prosecution	Admitted.
P 07915	Prosecution	Admitted.
P 07965	Prosecution	Admitted.
P 08019	Prosecution	Admitted.
P 10008	Prosecution	Admitted.
P 10011	Prosecution	Admitted.
P 10012	Prosecution	Admitted.

P 10013	Prosecution	Admitted.
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