

**UNITED
NATIONS**



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: 31 October 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: 31 October 2007

THE PROSECUTOR

v.

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

PUBLIC

**ORDER REQUESTING RECTIFICATION, CLARIFICATION AND
MONITORING OF THE STATUS OF EXHIBITS MARKED FOR
IDENTIFICATION**

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 Karim A.A. Khan 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”),

PROPRIO MOTU,

CONSIDERING that the Chamber, while working on various pending motions requesting the admission of documentary evidence, has noted that at present 402 exhibits in the e-court system are still marked for identification,

CONSIDERING that in the “Scheduling Order” rendered on 27 September 2007, the Chamber set 13 December 2007 as the date for the end of the presentation of the Prosecution’s case,

CONSIDERING that the case file should be complete and all uncertainty removed regarding the status of exhibits tendered into evidence when the Prosecution ends its case,

CONSIDERING, furthermore, that the Chamber notes that some of the exhibits marked for identification were marked by the Chamber pending their translation into English, BCS or for other technical reasons, while other exhibits were marked for identification in the e-court system for reasons unknown to the Chamber,

CONSIDERING that it is within the domain of the Registry to integrate information into the e-court system or modify it, particularly with regard to exhibits,¹

CONSIDERING, nevertheless, that some of the exhibits marked for identification will require a decision by the Chamber, particularly when the Chamber postponed its decision on admitting an exhibit because it had no English translation,

CONSIDERING, consequently, that all the exhibits marked for identification should first be verified and the errors rectified that do not require a decision by the Chamber,

CONSIDERING that, second, the Parties should be contacted in order to ensure that they provide the translations, pages or other missing elements,

CONSIDERING, finally, that the Chamber should be provided with a list of the 402 exhibits marked for identification indicating their current status, any rectifications made, and actions undertaken by the Parties with respect to them,

FOR THE FOREGOING REASONS,

¹ Provisional Practice Direction on the Application of an Electronic Court Management System, IT/239 Rev. 1, 6 October 2005, Article 8, para. 18.

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence and Article 8 of the Provisional Practice Direction on the Application of an Electronic Court Management System,

INVITES the Registrar, first, to verify all the exhibits marked for identification in order to determine whether the Chamber has or has not actually marked these exhibits for identification and to rectify any errors that ensue,

INVITES the Registrar, second, to contact the Parties to ensure that they provide the translations, pages or other missing elements,

INVITES the Registrar, third, to send the Chamber, no later than 21 November 2007, a list of all the 402 exhibits marked for identification indicating their current status, any rectifications made and actions undertaken by the Parties with respect to them,

REQUESTS the Parties to cooperate with the Registrar in implementing this order, **AND**

INFORMS the Parties of the Chamber's intention to deny any of the exhibits that the Parties fail to provide with translations, pages or other missing elements by 21 November 2007; without prejudice to the Parties to present these exhibits subsequently after they have been completed,

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

/signed/

Jean-Claude Antonetti

Presiding Judge

Done this thirty-first day of October 2007

At The Hague

(Netherlands)

[Seal of the Tribunal]