



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: 4 December 2008  
Original: ENGLISH  
French

**IN TRIAL CHAMBER III**

**Before:** Judge Jean-Claude Antonetti, Presiding  
Judge Árpád Prandler  
Judge Stefan Trechsel  
Reserve Judge Antoine Kesia-Mbe Mindua

**Registrar:** Mr Hans Holthuis

**Order of:** 4 December 2008

**THE PROSECUTOR**

v.

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

***PUBLIC***

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**ORDER TO UPLOAD THE FRENCH TRANSCRIPTS OF WITNESS  
TESTIMONY ADMITTED PURSUANT TO RULE 92 *BIS* OF THE RULES**

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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 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**

**NOTING** the confidential Decision on the Admission of Prosecution Testimony Pursuant to Rule 92 *bis* (A), (C) and (D) of the Rules, of 13 September 2006, in which the Chamber admitted the transcript of the testimony of Witness AP in the Case *The Prosecutor v. Naletilić and Martinović* (“*Naletilić and Martinović Case*”), bearing the reference number P 10026 (under seal);

**NOTING** the Decision on the Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis* and *quater* of the Rules, issued in a public redacted version on 27 October 2006, in which the Chamber admitted the transcript of the testimony of Witness AR in the case *The Prosecutor v. Tihomir Blaškić* (“*Blaškić Case*”), bearing the reference number P 10027 (under seal);

**NOTING** the confidential Decision on Prosecution’s Motion for Admission of Evidence Pursuant to Rule 92 *bis* (A) and (B) (Gornji Vakuf), of 28 February 2007, in which the Chamber admitted the transcripts of the testimony of Nicholas Short in the *Blaškić Case*, in a redacted version bearing the reference number P 09804, and of Alistair Rule in the case *The Prosecutor v. Kordić and Čerkez* (“*Kordić Case*”), bearing the reference number P 09803;

**NOTING** the confidential Decision on Prosecution Motion to Admit Testimonies Pursuant to Rule 92 *bis* of the Rules, (Jablanica) of 12 July 2007, in which the Chamber admitted, in entirety and under seal, the transcripts of the testimony of Witnesses D and X in the *Naletilić and Martinović Case*, bearing the reference numbers P 09870 and P 09874 respectively, and, in part and under seal, the transcripts of the testimony of Witnesses JJ, TT, RR, LL and Y in the *Naletilić and Martinović Case*, bearing the reference numbers P 09880, P 09879, P 09872, P 09881 and P 09873 respectively;

**NOTING** the confidential Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis* (Ljubuški Municipality), of 30 August 2007, in

which the Chamber admitted, in part, the transcripts of the testimony of Witnesses TT, RR, Y, W, HH and Salko Osmić in the *Naletilić and Martinović* Case, bearing the reference numbers P 09879 (under seal), P 09872 (under seal), P 09873 (under seal), P 09875 (under seal), P 10113 (under seal) and P 09876 respectively;

**NOTING** the confidential Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis*, (Mostar Municipality) of 15 November 2007, in which the Chamber admitted, in part and under seal, the transcripts of the testimony of Witnesses GG and WW in the *Naletilić and Martinović* Case, bearing the reference numbers P 10020 (under seal) and P 10024 (under seal) respectively;

**NOTING** the confidential Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis* (A) and (B) (Vareš Municipality), of 4 December 2007, in which the Chamber admitted, in entirety and under seal, the testimony of Witness AI in the *Kordić* Case, bearing the reference number P 10014, and, in part, the testimony of Rolf Weckesser in the *Kordić* Case, bearing the reference number P 10104;

**NOTING** the confidential Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis* of the Rules (Heliodrom and Generally), of 12 December 2007 (“92 *bis* Heliodrom Decision”), in which the Chamber admitted, in entirety and under seal, the transcripts of testimony in the *Naletilić and Martinović* Case, for Witnesses AC, PP, OO, U, II and NN bearing the reference numbers P 10222, P 10223, P 10224, P 10220, P 10218 and P 10219 respectively, and, in part, of Witnesses LL, RR, WW, W, Y, TT, HH, Salko Osmić, GG and EJ bearing the reference numbers P 09881 (under seal), P 09872 (under seal), P 10024 (under seal), P 09875 (under seal), P 09873 (under seal), P 09879 (under seal), P 10113 (under seal), P 09876, P 10020 (under seal) and P 10227 (under seal) respectively;

**NOTING** the Decision on Admission of Evidence Pursuant to Rule 92 *bis* of the Rules (Brix-Andersen), of 23 January 2008, in which the Chamber admitted the redacted transcript of the testimony of Mr Brix-Andersen in the *Kordić* Case, bearing the reference number P 10356;

**CONSIDERING** that pursuant to Article 33 of the Statute of the Tribunal (“Statute”) and to Rule 3 (A) of the Rules of Procedure and Evidence (“Rules”), the working languages of the Tribunal are French and English;

**CONSIDERING** that the Prosecution and the Registry have the transcripts of hearings for all the cases heard before the Tribunal available in English and in French;

**CONSIDERING** that the working language of the Chamber is mainly French and that the Judgment will be rendered in French;

**CONSIDERING** that in the 92 *bis* Heliodrom Decision, the Chamber requested that the Prosecution and the Registry ensure that the French versions of the transcripts of testimony admitted under that Decision be uploaded into the e-court system under the same reference numbers as the English and BCS versions;

**CONSIDERING** that, with respect to this request, the Prosecution and the Registry have still not abided by the 92 *bis* Heliodrom Decision;

**CONSIDERING** that the Chamber holds that it is also necessary to obtain the French version of the transcripts of testimony admitted by the Chamber under the reference numbers P 09332, P 09803, P 09870, P 09874, P 09880, P 10014, P 10026, P 10027, P 10104 and P 10356;

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Article 33 of the Statute and Rules 3 and 54 of the Rules,

**RECALLS** the request made by the Chamber to the Prosecution and the Registry to ensure that the French versions of the transcripts of testimony admitted under the reference numbers P 09872, P 09873, P 09875, P 09876, P 09879, P 09881, P 10020, P 10024, P 10113, P 10218, P 10219, P 10220, P 10222, P 10223, P 10224 and P 10227 be uploaded into the e-court system; and **ORDERS** that this be done as soon as possible;

**AND**

**ORDERS** the Prosecution and the Registry to ensure that the French versions of the transcripts of testimony admitted by the Chamber under the reference numbers P 09332, P 09803, P 09870, P 09874, P 09880, P 10014, P 10026, P 10027, P 10104 and P 10356 also be uploaded into the ecourt system as soon as possible.

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

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Jean-Claude Antonetti  
Presiding Judge

Done this fourth day of December 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**