



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: 14 April 2010
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 John Hocking

Order of: 14 April 2010

THE PROSECUTOR

v.

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

PUBLIC

**ORDER TO ADMIT EVIDENCE RELATING TO 92 *TER* WITNESS PERO
NIKOLIĆ**

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”),

NOTING the request for admission of an exhibit (“Proposed Exhibit”)¹ presented by Counsel for the Accused Valentin Ćorić (“Ćorić Defence”), relating to the testimony of Pero Nikolić (“Witness”), who appeared on 25 March 2010 pursuant to Rule 92 *ter* of the Rules of Procedure and Evidence (“Rules”),²

NOTING the “Decision on Admission of Evidence” of 13 July 2006 and the “Decision Adopting Guidelines for the Presentation of Defence Evidence” of 24 April 2008,³

CONSIDERING that the other parties have not brought a request to admit exhibits through this witness and have not stated any objection to the request for admission presented by the Ćorić Defence,

CONSIDERING that the Chamber notes that the Proposed Exhibit is a written statement filed pursuant to Rule 92 *ter* of the Rules; that it has thus examined this exhibit on the basis of criteria of admissibility defined in Rule 92 *ter*,

CONSIDERING that the Chamber emphasises that the Witness testified before the Chamber that the Proposed Exhibit faithfully reflected his comments and confirmed that he would make the same comments if examined; that the Witness was available to be cross-examined by the Parties and to respond to any questions the Judges might have had,

CONSIDERING that, consequently, the Chamber decides to admit into evidence the Proposed Exhibit 5D 05111,

¹ 5D 05111.

² IC 01228.

³ Guideline 8: The Admission of Documentary Evidence through a Witness.

FOR THE FOREGOING REASONS,

PURSUANT TO Rule 92 *ter* of the Rules,

GRANTS the request for admission presented by the Čorić Defence,

AND

DECIDES that Proposed Exhibit 5D 05111 should be admitted into evidence,

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this fourteenth day of April 2010

At The Hague

The Netherlands

[Seal of the Tribunal]