



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-95-13/1-T  
Date: 19 May 2006  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Kevin Parker, Presiding  
Judge Christine Van Den Wyngaert  
Judge Krister Thelin

**Registrar:** Mr. Hans Holthuis

**Decision:** 19 May 2006

**PROSECUTOR**

v.

**MILE MRKŠIĆ  
MIROSLAV RADIĆ  
VESELIN ŠLJIVANČANIN**

**DECISION ON PROSECUTION'S MOTION FOR ADMISSION  
OF AN EXHIBIT AS PART OF TRANSCRIPTS  
PURSUANT TO RULE 92BIS**

**The Office of the Prosecutor:**

Mr Marks Moore  
Mr William Smith  
Mr Alexis Demirdjian  
Ms Meritxell Regue

**Counsel for the Accused:**

Mr Miroslav Vasić and Mr Vladimir Domazet for Mile Mrkšić  
Mr Borivoje Borović and Ms Mira Tapušковиć for Miroslav Radić  
Mr Novak Lukić and Mr Momčilo Bulatović for Veselin Šljivančanin

**THIS TRIAL 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 (“International Tribunal”),

**NOTING** the “Prosecution’s Motion for Admission of an Exhibit as Part of Transcripts Pursuant to Rule 92bis”, filed on 2 May 2006 (“Motion”), seeking the admission, pursuant to Rule 92bis(D) of the Rules of Procedure and Evidence (“Rules”), of a document set out in Annex 1 to the Motion (“proposed document”);

**NOTING** that the Defence has not filed any response within the deadline prescribed by the Rules;

**NOTING** that in accordance with the jurisprudence of the Tribunal, where the transcript of the evidence of a witness in another proceedings is admitted under Rule 92bis(D) of the Rules, the related exhibits may also be received into evidence provided that they do not go to the acts and conduct of the accused;

**NOTING** that the proposed document was used in the course of the evidence given by Pajo Nedić and Bogdan Vojnović in the case *Prosecutor v. Dokmanović* and received in that case as Exhibit D53; that the relevant portions of the transcripts of the evidence of Pajo Nedić and Bogdan Vojnović were admitted in the present case pursuant to Rule 92bis(D) of the Rules;<sup>1</sup>

**CONSIDERING** that the proposed document is a record of the minutes of a meeting held by the Government of the Serbian District of Slavonia, Baranja and Western Srem on 19 November 1991 in Erdut and that the Trial Chamber is satisfied that it does not relate to the acts and conduct of any of the Accused in the present case;

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rule 92bis of the Rules,

**GRANTS** the Motion and **ORDERS** that the proposed document be admitted into evidence;

**REQUESTS** the Registry to assign an exhibit number to the proposed document and inform the Chamber and the parties of the exhibit number in writing as soon as practicable

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<sup>1</sup> Confidential Decision on Prosecution’s Motion for Admission of Transcripts and Written Statements Pursuant to Rule 92bis, 21 October 2005; see also Case No IT-95-13/1-T, T 7962.

Done in both English and French, the English text being authoritative.



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Judge Parker  
Presiding

Dated this nineteenth day of May 2006  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**