



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: 28 September 2006
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: 28 September 2006

THE PROSECUTOR

v.

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

**ORDER TO ADMIT EVIDENCE RELATIVE TO WITNESS JOSIP
MANOLIĆ**

The Office of the Prosecutor:

Mr Kenneth Scott
Mr Daryl Mundis

Counsel for the Accused:

Mr Michael Karnavas and Ms Suzana Tomanović for Jadranko Prlić
Ms Senka Nožica and Mr Peter Murphey for Bruno Stojić
Mr Božidar Kovačić and Ms Nika Pinter for Slobodan Praljak
Ms Vesna Alaburić 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”);

CONSIDERING that the witness Josip Manolić appeared before the Tribunal on 3, 4, 5 and 6 July 2006 and that at the hearing the Parties presented evidence through the witness Josip Manolić but did not request that they be admitted into evidence,

CONSIDERING that on 22 August 2006 the Chamber invited the Parties to submit to it, by 30 August 2006, a list of documents and extracts presented to the witness Josip Manolić in court which they wish to be admitted,¹

CONSIDERING that the Office of the Prosecutor (“Prosecution”) is the only party to have responded to this invitation and submitted, on 1 September 2006, a motion to admit exhibits (*Prosecution Submission of Further Exhibits Related to the Witness Josip Manolić*) (“Motion”),

CONSIDERING, however, that in its Motion the Prosecution moved to tender into evidence both the documents that were presented to the witness Josip Manolić and documents that were not produced at the hearing, totalling 23 documents,

CONSIDERING that the Chamber dismissed the Motion for failure to comply with the Decision to Admit Evidence of 13 July 2006 (“Decision”) and invited the Prosecution to file another motion,

CONSIDERING that the Prosecution has not seized the Chamber of a new motion, either for the documents presented in court or for additional documents,

CONSIDERING that the Chamber recalls the obligation of the Parties to respect the guidelines for admission of evidence cited in the Annex of the Decision,

CONSIDERING that, despite the fact that the Parties have not submitted their requests, the Chamber has decided, *proprio motu*, to examine the documents and extracts presented at court to the witness Josip Manolić,

¹ Court Transcript in French (“T(F)”) pp. 5256-5257.

CONSIDERING that, exceptionally, the Chamber has decided *ex officio* to admit into evidence the documents labelled “admitted” in the Annex attached to this decision because they were presented to the witness Josip Manolić and have satisfactory indicia of relevance, probative values and reliability,

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules,

DECIDES that there are grounds to admit into evidence the documents labelled “admitted” in the Annex attached to this decision.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this twenty-eighth day of September 2006
At The Hague
The Netherlands

[Seal of the Tribunal]

Annex

Proposed exhibit no.	Party proposing the admission of evidence	Admitted/Not admitted/Marked for identification (MFI)
P 00037 (4 pages: p. 5, p. 8, p. 38, p. 47) ²	Prosecution	Admitted
P 00068 (5 pages: p. 1, p. 5, p. 28, p. 31, p. 51) ³	Prosecution	Admitted
P 00134 (7 pages: p. 1, p. 3, p. 99, p. 105, p. 108, pp. 110 and 111) ⁴	Prosecution	Admitted
P 00312	Prosecution	Admitted
P 01325 (8 pages: pp. 1-3, p. 5, pp. 7-9, p. 12)	Prosecution	Admitted
P 03112 (12 pages: pp. 1-4, p. 8, pp. 11 and 12, pp. 22-25, p. 54) ⁵	Prosecution	Admitted
P 08012 (6 pages: pp. 2-4, p. 42, pp. 55 and 56)	Prosecution	Admitted
P 09645	Prosecution	Admitted
P 09649	Prosecution	Admitted
P 09673 (ET-0117-1102, pp. 1 and 4; ET-0117-1031, pp. 1-3; ET-0117-1047, pp. 1-4; ET-0117-1066, pp. 1-6)	Prosecution	Admitted
P 03517 (2 pages: p. 17, p. 33) ⁶	Prlić Defence	Admitted
P 08012 (3 pages: pp. 49-51)	Prlić Defence	Admitted
P 00088	Stojić Defence	Admitted
P 01452 (1 page: p. 4)	Stojić Defence	Admitted
3D 00009	Praljak Defence	Admitted
3D 00295	Praljak Defence	Admitted
3D 00302	Praljak Defence	Admitted
3D 00306	Praljak Defence	Admitted
4D 00066	Petković Defence	Admitted
5D 00477	Čorić Defence	Admitted

² The page numbers quoted in the Annex correspond to the page numbers of the English version of the relevant document in the E-court system.

³ 0151-0098.

⁴ 0150-8865.

⁵ 0186-6459.

⁶ 0186-6201.