



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: 8 November 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

Decision of: 8 November 2006

THE PROSECUTOR

v.

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

**ORDER TO ADMIT EVIDENCE RELATIVE TO
WITNESS ANDREW WILLIAMS**

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 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”);

CONSIDERING that at the hearings of 19 October 2006 and 1 November 2006, the Office of the Prosecutor (“Prosecution”) moved for the admission of 28 documents and that the counsels for the Accused Prlić (“Prlić Defence”), the counsels for the Accused Stojić (“Stojić Defence”), the counsels for the Accused Praljak (“Praljak Defence”), the counsels for the Accused Petković (“Petković Defence”) and the counsels for the Accused Čorić (“Čorić Defence”), moved for the admission of, respectively, 3, 3, 8, 9 and 3 documents relating to the testimony of Andrew Williams (“Proposed Exhibits”),¹

CONSIDERING that the Chamber has heard the oral objections raised by the Parties against the admission of the Proposed Exhibits,

CONSIDERING that the Chamber has examined each of the Proposed Exhibits based on the criteria for admissibility defined in its Decision on Admission of Evidence of 13 July 2006,

CONSIDERING that the Chamber has decided to admit into evidence the documents labelled “admitted” in the Annex attached to this decision because they were submitted to Witness Andrew Williams and have satisfactory indicia of relevance, probative value and reliability,

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules of Procedure and Evidence,

PARTIALLY GRANTS the motion of the Prosecution,

GRANTS the motion of the Prlić Defence, the Stojić Defence, the Praljak Defence, the Petković Defence and the Čorić Defence,

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

¹Court Transcript in French (“T(F)”), pp. 8826-8830, 9338, 9339.

DISMISSES the motion of the Prosecution in all other respects for reasons given 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 eighth day of November 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 03090 (2 pages: pp. 6 and 7 ²)	Prosecution	Admitted (the Chamber admits only the extract of this document that was presented to the Witness at the hearing)
P 00759	Prosecution	Admitted
P 00778	Prosecution	Admitted
P 00922	Prosecution	Admitted
P 01053	Prosecution	Admitted
P 01087	Prosecution	Admitted
P 01094	Prosecution	Admitted
P 01104	Prosecution	Admitted
P 01107	Prosecution	Admitted
P 01153	Prosecution	Admitted
P 01162	Prosecution	Admitted
P 01163	Prosecution	Admitted
P 01182	Prosecution	Admitted
P 01207	Prosecution	Admitted
P 01209	Prosecution	Admitted
P 01235	Prosecution	Admitted
P 01250	Prosecution	Admitted
P 01278	Prosecution	Admitted
P 01292	Prosecution	Admitted
P 01311	Prosecution	Admitted
P 01406	Prosecution	Admitted
P 01437	Prosecution	Admitted
P 01635	Prosecution	Admitted
P 01663	Prosecution	Admitted
P 01698	Prosecution	Admitted
P 08572	Prosecution	Admitted
IC 00062	Prosecution	Admitted
IC 00063	Prosecution	Admitted
1D 00943	Prlić Defence	Admitted
1D 00945	Prlić Defence	Admitted
1D 00946	Prlić Defence	Admitted
P 00768	Stojić Defence	Admitted
P 01210	Stojić Defence	Admitted
P 01632	Stojić Defence	Admitted
3D 00455	Praljak Defence	Admitted
3D 00456	Praljak Defence	Admitted
3D 00460	Praljak Defence	Admitted
3D 00461	Praljak Defence	Admitted

² The page numbers given in the Annex correspond to the page numbers of the English version of the document in the e-court system

3D 00462	Praljak Defence	Admitted
IC 00052	Praljak Defence	Admitted
IC 00053	Praljak Defence	Admitted
IC 00054	Praljak Defence	Admitted
P 01059	Petković Defence	Admitted
P 01115	Petković Defence	Admitted
P 01174	Petković Defence	Admitted
P 01211	Petković Defence	Admitted
P 01238	Petković Defence	Admitted
P 01293	Petković Defence	Admitted
P 01344	Petković Defence	Admitted
4D 00340	Petković Defence	Admitted
IC 00061	Petković Defence	Admitted
P 00956	Ćorić Defence	Admitted
P 03090 (3 pages: pp. 5, 26 and 27) ³	Ćorić Defence	Admitted (the Chamber admits only the extract of this document that was presented to the Witness at the hearing)
IC 00055	Ćorić Defence	Admitted

³ The page numbers given in the Annex correspond to the page numbers of the English version of the document in the e-court system