



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: 21 June 2007
Original: ENGLISH
French

IN TRIAL CHAMBER III

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

Registrar: Mr Hans Holthuis

Order of: 21 June 2007

THE PROSECUTOR

v.

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

ORDER TO ADMIT EVIDENCE REGARDING WITNESS ALIJA LIZDE

PUBLIC

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 Peter Murphy 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 Tomašević-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 Office of the Prosecutor (“Prosecution”) moved for the admission of seven documents¹ and that Counsel for the Accused Prlić (“Prlić Defence”), Counsel for the Accused Stojić (“Stojić Defence”), Counsel for the Accused Praljak (“Praljak Defence”) and Counsel for the Accused Čorić (“Čorić Defence”) moved for the admission of, respectively, 14,² 1,³ 4⁴ and 3⁵ documents relating to the testimony of Alija Lizde, who appeared before the Chamber on 1 and 2 May 2007 (“Proposed Exhibits”),

CONSIDERING that the Chamber has heard the objections raised by the Prosecution with regard to the admission of two Proposed Exhibits tendered by the Prlić Defence and one Proposed Exhibit tendered by the Čorić Defence⁶, as well as the response of the Čorić Defence to these objections,⁷

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 (“Decision of 13 July 2006”), taking into account the objections raised by the Parties,

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

CONSIDERING that the Chamber hereby decides by a majority not to admit into evidence the documents labelled “not admitted” in the Annex attached to this decision because they are not in conformity with the instructions of the Decision of 13 July 2006,

FOR THE FOREGOING REASONS,

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

GRANTS the motions of the Prosecution and the Stojić Defence,

PARTIALLY GRANTS the motions of the Prlić Defence, the Praljak Defence and the Čorić Defence,

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

DISMISSES the motions of the Prlić Defence, the Praljak Defence and the Čorić Defence

in all other respects.

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

¹ IC 00531.

² IC 00532.

³ IC 00533.

⁴ IC 00534.

⁵ IC 00535.

⁶ IC 00542.

⁷ IC 00543.

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this twenty-first day of June 2007
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 05949	Prosecution	Admitted
P 06433	Prosecution	Admitted
P 08894	Prosecution	Admitted
P 09089	Prosecution	Admitted
P 09090	Prosecution	Admitted
P 09398	Prosecution	Admitted
IC 00529	Prosecution	Admitted
1D 01215	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
1D 01414	Prlić Defence	Admitted
1D 01415	Prlić Defence	Admitted
1D 01416	Prlić Defence	Admitted
1D 01417	Prlić Defence	Admitted
1D 01418	Prlić Defence	Admitted
1D 01419	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
1D 01420	Prlić Defence	Admitted
1D 01421	Prlić Defence	Admitted
1D 01422	Prlić Defence	Admitted
1D 01423	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
1D 01424	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
1D 01425	Prlić Defence	Admitted
P 00486	Prlić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
P 00629	Stojić Defence	Admitted
3D 00688	Praljak Defence	Admitted
3D 00899	Praljak Defence	Admitted
3D 00910	Praljak Defence	Not admitted (reason: the document was not presented to the witness)
IC 00530	Praljak Defence	Admitted
5D 02036	Ćorić Defence	Admitted

P 00489	Ćorić Defence	Not admitted (reason: witness unable to clarify to the Chamber its relevance, probative value and reliability)
5D 02040	Ćorić Defence	Not admitted (reason: the document was not presented to the witness)