

**UNITED
NATIONS**



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: 4 July 2007
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: 4 July 2007

THE PROSECUTOR

v.

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

PUBLIC

ORDER TO ADMIT EVIDENCE RELATIVE TO WITNESS ENES DELALIĆ

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 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 Office of the Prosecutor (“Prosecution”) moved for the admission of five documents¹ and that Counsel for the Accused Praljak (“Praljak Defence”) moved for the Admission of four² documents relating to the testimony of Enes Delalić (“Proposed Exhibits”), who appeared before the Chamber on 17 May 2007,

CONSIDERING that none of the Parties raised any objections 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 hereby decides to admit into evidence the documents labelled “admitted” in the Annex attached to this decision because they were submitted to Witness Enes Delalić and have satisfactory indicia of relevance, probative value and reliability,

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

FOR THE FOREGOING REASONS,

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

DECIDES

- to grant the motion of the Prosecution,
- by a majority of the Judges, to partially grant the motion of the Praljak Defence,
- to admit into evidence the documents labelled “admitted” in the Annex attached to this decision,

AND

- by a majority of the Judges, to deny the motion of the Praljak Defence in all other respects.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this fourth day of July 2007
At The Hague (The Netherlands)

¹ IC 00572.

² IC 00573.

[Seal of the Tribunal]

Annex

Proposed exhibit no.	Party proposing the Admission of evidence	Admitted/Not admitted/Marked for identification (MFI)
P 01040	Prosecution	Admitted
P 06564	Prosecution	Admitted
P 09889	Prosecution	Admitted
P 09992	Prosecution	Admitted
P 09993	Prosecution	Admitted
3D 00374	Praljak Defence	Admitted: 3D16-0128 Not admitted: 3D16-0078 ; 3D16-0090 ; 3D16-0095 ; 3D16-0105 ; 3D16-0112 ; 3D16-0129
3D 00923	Praljak Defence	Admitted
3D 00924	Praljak Defence	Admitted
IC 00574	Praljak Defence	Admitted