



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: 30 August 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: 30 August 2007

THE PROSECUTOR

v.

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

PUBLIC

ORDER TO ADMIT EVIDENCE REGARDING WITNESS PHILIP WATKINS

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 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 43 documents,¹ and that Counsel for the Accused Prlić (“Prlić Defence”), Counsel for the Accused Stojić (“Stojić Defence”), Counsel for the Accused Praljak (“Praljak Defence”), Counsel for the Accused Petković (“Petković Defence”) and Counsel for the Accused Pušić (“Pušić Defence”) moved respectively for the admission of 18,² 5,³ 27,⁴ 16⁵ and 1⁶ document relating to the testimony of Witness Philip Watkins (“Proposed Exhibits”), who appeared before the Chamber on 21, 22, 23 and 24 May 2007,

NOTING the “Decision on Admission of Evidence” rendered by the Chamber on 13 July 2006 (“Decision of 13 July 2006”),⁷

CONSIDERING that the Chamber has examined each of the Proposed Exhibits based on the criteria for admissibility defined in the Decision 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 Philip Watkins and have satisfactory indicia of relevance, probative value and reliability,

CONSIDERING that the Chamber decides not to admit into evidence the Proposed Exhibits marked “Not Admitted” in the Annex attached to this Decision since they are not in compliance with the Decision of 13 July 2006,

FOR THE FOREGOING REASONS,

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

DECIDES by a majority of Judges of the Chamber to:

¹ IC 00581.

² IC 00582.

³ IC 00583.

⁴ IC 00584.

⁵ IC 00585.

⁶ IC 00586.

⁷ *Prosecutor v. Prlić et al.*, Case No. IT-04-74-T, Decision on Admittedsion of Evidence, 13 July 2006.

PARTIALLY GRANT the motions of the Prosecution, the Prlić Defence, the Stojić Defence, the Praljak Defence and the Petković Defence,

ADMITS into evidence the documents labelled “Admitted” in the Annex attached to this decision,

AND

DENIES in all other respects the motions of the Prosecution, the Prlić Defence, the Stojić Defence, the Praljak Defence and the Petković Defence for the reasons cited above and in the Annex attached to this decision.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this thirtieth day of August 2007

At The Hague

The Netherlands

[Seal of the Tribunal]

Annex

Proposed exhibit number	Party proposing the admission of evidence	Admitted/Not admitted/Marked for Identification (MFI)
P 00021, p. 23-43; pp. 66-67	Prosecution	Admitted (pp. 43 and 66)
P 01040	Prosecution	Admitted
P 03771 under seal	Prosecution	Admitted under seal
P 04083 under seal	Prosecution	Admitted under seal
P 04106 under seal	Prosecution	Admitted under seal
P 04431 under seal	Prosecution and Defence D3	Admitted under seal
P 05502 under seal	Prosecution	Admitted under seal
P 05959 under seal	Prosecution	Admitted under seal
P 05976 under seal	Prosecution	Admitted under seal
P 06084 under seal	Prosecution	Admitted under seal
P 06211 under seal	Prosecution	Admitted under seal
P 06244 under seal	Prosecution	Admitted under seal
P 06303 under seal	Prosecution	Admitted under seal
P 06381 under seal	Prosecution	Admitted under seal
P 06382 under seal	Prosecution	Admitted under seal
P 06448 under seal	Prosecution	Admitted under seal
P 06473 under seal	Prosecution	Admitted under seal
P 06511 under seal	Prosecution	Admitted under seal
P 06590 under seal	Prosecution	Admitted under seal
P 06646 under seal	Prosecution	Admitted under seal
P 06687 under seal	Prosecution	Admitted under seal
P 06693 under seal	Prosecution	Admitted under seal
P 06731 under seal	Prosecution	Admitted under seal
P 07012 under seal	Prosecution	Admitted under seal
P 07013 under seal	Prosecution	Admitted under seal
P 07226 under seal	Prosecution	Admitted under seal
P 07280 under seal	Prosecution	Admitted under seal
P 07286 under seal	Prosecution	Admitted under seal
P 07290 under seal	Prosecution	Admitted under seal
P 07342 under seal	Prosecution	Admitted under seal
P 07356 under seal	Prosecution	Admitted under seal
P 07372 under seal	Prosecution	Admitted under seal
P 07405 under seal	Prosecution	Admitted under seal
P 07606 under seal	Prosecution	Admitted under seal (para. 28)
P 07614 under seal	Prosecution	Admitted under seal
P 07625 under seal	Prosecution	Admitted under seal
P 07652 under seal	Prosecution	Admitted under seal
P 08494	Prosecution	Not admitted (reason: the document was not presented to the witness in court)
P 09994 under seal	Prosecution	Admitted under seal

P 09995 under seal	Prosecution	Admitted under seal
P 09996 under seal	Prosecution	Admitted under seal
P 09997 under seal	Prosecution	Admitted under seal

P 04589	Defence D1	Admitted
P 05709 under seal	Defence D1	Admitted under seal
P 05960	Defence D1	Admitted
P 06772	Defence D1 and D2	Admitted
P 07424	Defence D1	Admitted
P 07883	Defence D1	Admitted
1D 01281	Defence D1	Admitted
1D 01338	Defence D1	Admitted
1D 01434	Defence D1	Not admitted (reason: witness unable to provide the Chamber with information about the reliability, relevance and probative value of the document)
1D 01436	Defence D1	Admitted
1D 01530	Defence D1	Admitted
1D 01531	Defence D1	Admitted
1D 01532	Defence D1	Admitted
1D 01533	Defence D1	Admitted
1D 01534	Defence D1	Not admitted (reason: the document was not presented to the witness in court)
1D 01535	Defence D1	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
1D 01538	Defence D1	Admitted
1D 01539	Defence D1	Already admitted 9 July 2007

P 06583	Defence D2	Already admitted 3 April 2007
P 00079	Defence D2	Already admitted 3 October 2006
P 00081	Defence D2	Already admitted 27 June 2006
P 00596	Defence D2	Admitted

P 02849	Defence D3	Already admitted 15 June 2006
P 04363	Defence D3	Already admitted under seal 16 October 2006
P 05162	Defence D3	Already admitted 22 June 2006
P 05356	Defence D3	Admitted
3D 00322	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00885	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and

		probative value of the document)
3D 00920	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the reliability of the document)
3D 00931	Defence 3D	Admitted
3D 00932	Defence 3D	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00933	Defence 3D	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00934	Defence 3D	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00935	Defence 3D	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00936	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00937	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00938	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00939	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00941	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00942	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
3D 00945	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)

3D 00954	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
IC 00576	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
IC 00577	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
IC 00578	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)
IC 00579	Defence D3	Not admitted (reason: witness unable to provide the Chamber with information about the relevance and probative value of the document)

P 00280	Defence D4	Admitted
P 00765	Defence D4	Admitted
P 02750	Defence D4	Already admitted 14 June 2007
P 06000	Defence D4	Admitted
P 06091	Defence D4	Already admitted 14 June 2007
P 06842	Defence D4	Admitted
4D 00499	Defence D4	Admitted
4D 00500	Defence D4	Admitted
4D 00506	Defence D4	Already admitted 21 June 2007
4D 00521	Defence D4	Admitted
4D 00561	Defence D4	Admitted
4D 00562	Defence D4	Admitted
4D 00563	Defence D4	Admitted
4D 00564	Defence D4	Admitted
4D 00565	Defence D4	Admitted
4D 00567	Defence D4	Admitted

P 07005	Defence D6	Admitted
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