



International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991

Case No. IT-98-29/1-T

Date: 24 September 2007

Original: English

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Antoine Kesia-Mbe Mindua
Judge Frederik Harhoff

Registrar: Mr. Hans Holthuis

Date: 24 September 2007

PROSECUTOR

v.

DRAGOMIR MILOŠEVIĆ

PUBLIC

**DECISION ON DEFENCE MOTION TO RESOLVE
ISSUES CONCERNING ADMINISTRATION OF
EVIDENCE**

The Office of the Prosecutor:

Mr. Stefan Waespi
Ms. Carolyn Edgerton
Mr. John Docherty

Counsel for the Accused:

Mr. Branislav Tapušković
Ms. Branislava Isailović

TRIAL CHAMBER III (“Trial 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”);

BEING SEISED of the “Defence Motion to Resolve Issues concerning Administration of Evidence”, filed on 7 September 2007 (Motion), in which the Defence requests the Trial Chamber to assign exhibit numbers to documents which have been admitted, to mark three witness statements for identification (“MFI”) and to decide on the admission of a number of documents;

NOTING that the Prosecutor did not respond to the Motion;

NOTING that insofar as the Motion pertains to the assignment of exhibit numbers to documents which have already been admitted, the Court Officer of this case, by memorandum of 12 September 2007, informed the parties and the Trial Chamber of the exhibit numbers which have been assigned to those documents;

CONSIDERING that the first request in the Motion therefore need not be addressed in this decision;

NOTING that the Trial Chamber, by oral decision of 25 July 2007, ruled that the statements of witnesses T20, T40 and T44 were to be admitted pursuant to Rule 92 *bis* of the Rules of Procedure and Evidence (“Rules”), upon fulfilment of the certification procedure set out in Rule 92 *bis* (B) of the Rules;

NOTING that the parties are expected to file their final briefs on 1 October 2007;

CONSIDERING that it would be helpful for the parties and the Trial Chamber to be able to identify the statements of T20, T40 and T44 by MFI numbers, which numbers will become the exhibit numbers upon completion of the certification procedure;

NOTING that the Trial Chamber, by oral decision of 25 July 2007, deferred its decision on the admission of 62 documents tendered with witness Snežana Marinković -Jekić until such time that the Trial Chamber received the translation of those documents;

NOTING that the Trial Chamber has now been provided with the translation of 37 of those 62 documents;

CONSIDERING that all documents, except the document 255D, are relevant and probative, and thus are admitted into evidence;

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules,

ADMITS into evidence the following documents:

224D, 226D, 227D, 228D, 229D, 231D, 233D, 234D, 235D, 237D, 238D, 242D, 245D, 250D, 251D, 256D, 257D, 258D, 260D, 261D, 262D, 263D, 264D, 265D, 266D, 267D, 268D, 269D, 270D, 271D, 272D, 273D, 274D, 275D, 313D, 317D;

REQUESTS the Registrar, in light of the limited time available to the Parties until the filing of their final briefs, to assign exhibit numbers to the admitted documents listed above and MFI numbers to the statements of witnesses T20, T40 and T44 as soon as possible, but no later than 27 September 2007;

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



Judge Patrick Robinson
Presiding

Dated this twenty-fourth day of September 2007
At The Hague
The Netherlands

[Seal of the Tribunal]