



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: 12 June 2008
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: 12 June 2008

THE PROSECUTOR

v.

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

PUBLIC

**ORDER ADMITTING EVIDENCE RELATED TO WITNESS ZDRAVKO
SANČEVIĆ**

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 Karim A.A. Khan 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 Counsel for the Accused Prlić (“Prlić Defence”) requested the admission of 29 exhibits¹ while Counsel for the Accused Praljak (“Praljak Defence”) and the Office of the Prosecutor (“Prosecution”) requested the admission of 1² exhibit and 2³ exhibits, respectively, related to the testimony of Witness Zdravko Sančević (“Proposed Exhibits”) who appeared from 26 to 29 May 2008,

CONSIDERING that neither the Prosecution nor the Defence teams have raised objections to the requests for admission of the Proposed Exhibits,

CONSIDERING that the Chamber has examined each of the Proposed Exhibits on the basis of the admissibility criteria set out in the Decision on Admission of Evidence, rendered by the Chamber on 13 July 2006 (“Decision of 13 July 2006”) and the Decision Adopting Guidelines for the Presentation of Defence Evidence, rendered by the Chamber on 24 April 2008 (“Decision of 24 April 2008”),⁴

CONSIDERING that the Chamber decides to admit into evidence the Proposed Exhibits indicated “Admitted” in the Annex attached to this decision since they were put to the witness in court and bear sufficient indicia of relevance, reliability and probative value,

CONSIDERING that the Chamber decides not to admit into evidence the Proposed Exhibits indicated “Not Admitted” in the Annex attached to this Decision since they are not consistent with the requirements set out in the Decisions of 13 July 2006 and 24 April 2008,

FOR THESE REASONS,

¹ IC 00799

² IC 00801

³ IC 00800

⁴ Guideline 8 regarding the admission of documentary evidence through a witness.

IN ACCORDANCE with Rules 54 and 89 of the Rules of Procedure and Evidence,

GRANTS the Prosecution's request,

PARTIALLY GRANTS the requests for admission by the Prlić Defence and Praljak Defence,

ADMITS into evidence the Proposed Exhibits indicated "Admitted" in the Annex attached to this Decision, **AND**

DENIES in all other respects the requests for admission of the Prlić Defence and Praljak Defence for the reasons set out in the Annex attached to this decision.

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this twelfth day of June 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

Annex

Exhibit number	Party proposing admission of the exhibit	Admitted/Not admitted/Marked for identification (MFI)
1D 00401	Prlić Defence /Prosecution	Admitted
1D 01520	Prlić Defence	Admitted
1D 01595	Prlić Defence	Admitted
1D 02186	Prlić Defence	Admitted
1D 02220	Prlić Defence	Admitted
1D 02221	Prlić Defence	Admitted
1D 02231	Prlić Defence	Admitted
1D 02275	Prlić Defence	Admitted
1D 02339	Prlić Defence	Admitted
1D 02394	Prlić Defence	Admitted
1D 02404	Prlić Defence	Admitted
1D 02726	Prlić Defence	Admitted
1D 02806	Prlić Defence	Admitted
1D 02808	Prlić Defence	Not admitted (Reason: the party has failed to specify which pages of this document it requests for admission as is required by paragraph 30 of the Decision of 24 April 2008).
1D 02808 pages 1D52 – 1161 1D52 – 1162 1D52 – 1163 1D52 – 1164	Praljak Defence	Not admitted (Reason: these pages do not appear in the electronic “e-court” system).
1D 02808 pages 1D53 – 0469 1D53 – 0538 1D53 – 0539 1D53 – 0540	Praljak Defence	Admitted
1D 02887	Prlić Defence	Not admitted (Reason: the party has failed to specify which pages of this document it requests for admission as is required by paragraph 30 of the Decision of 24 April 2008).
1D 02911	Prlić Defence	Not admitted (Reason: the party requests the admission of this document in its entirety. However, according to the guidelines governing the trial, a party must limit itself to requesting the admission of the excerpt of the document that is discussed with the witness in court). ⁵

⁵ Decision of 24 April 2008, para. 30.

1D 02918	Prlić Defence	Admitted.
1D 02919	Prlić Defence	Admitted
1D 01920	Prlić Defence	Admitted
1D 02926	Prlić Defence	Admitted
1D 02927	Prlić Defence	Admitted
1D 02928	Prlić Defence	Admitted
1D 02929	Prlić Defence	Admitted
1D 02930	Prlić Defence	Not admitted (Reason: this document does not appear on the 65 <i>ter</i> List of Exhibits for the Prlić Defence).
1D 02932	Prlić Defence	Not admitted (Reason: this document does not appear on the 65 <i>ter</i> List of Exhibits for the Prlić Defence).
P 02454	Prlić Defence	Admitted
P 02682	Prlić Defence	Admitted
P 02719 pages 47 to 49	Prlić Defence	Already admitted on 17 January 2008.
P 06454 pages 40 to 49	Prlić Defence	Admitted
P 10402	Prosecution	Admitted