



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: 17 July 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: 17 July 2008

THE PROSECUTOR

v.

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

PUBLIC

**ORDER ADMITTING EVIDENCE RELATED TO WITNESS MILE
AKMADŽIĆ**

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”), the Office of the Prosecutor (“Prosecution”), Counsel for the Accused Stojić (“Stojić Defence”) and Counsel for the Accused Petković (“Petković Defence”) requested the admission respectively of 80,¹ 31,² 17,³ and 2⁴ exhibits relative to the testimony of Mile Akmadžić (“Proposed Exhibits”) who appeared in court on 16 and 24 June 2008,

CONSIDERING that the Chamber has heard the objections formulated by the Prosecution with regard to certain of the Proposed Exhibits,⁵

CONSIDERING that the Chamber has examined each one of the Proposed Exhibits based on the admissibility criteria defined in the Decision on Admission of Evidence, rendered by the Chamber on 13 July 2006 (“Decision of 13 July 2006”), and in the Decision Adopting Guidelines for the Presentation of Defence Evidence, rendered by the Chamber on 24 April 2008 (“Decision of 24 April 2008”),⁶

CONSIDERING that the Chamber decides to admit into evidence the exhibits marked “admitted” in the Annex attached to this decision since they were presented to Witness Mile Akmadžić and bear sufficient indicia of reliability, relevance and probative value,

CONSIDERING that the Chamber decides not to admit into evidence the Proposed Exhibits marked “not admitted” in the Annex attached to this decision because they do not comply with the instructions set out in the Decision of 13 July 2006 and the Decision of 24 April 2008

¹ IC 00809.

² IC 00812.

³ IC 00810.

⁴ IC 00811.

⁵ IC 00817.

⁶ Guideline 8 on the admission of documentary evidence through a witness.

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules,

GRANTS the request of the Petković Defence,

PARTIALLY GRANTS the requests of the Prlić Defence, the Stojić Defence and the Prosecution,

DECIDES to admit into evidence the Proposed Exhibits marked “admitted” in the Annex attached to this decision,

DENIES the requests of the Prlić Defence, the Stojić Defence and the Prosecution in all other respects for the reasons set out in the Annex attached to this decision **AND**

DECLARES MOOT the requests of the Prlić Defence and the Prosecution with regard to Exhibits 1D 00507, 1D 00942, 1D 02431, P 10484 and P 10485, 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 seventeenth day of July 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 00507	Prosecution	Moot (Reason: Already admitted on 3 July 2008)
1D 00509	Prlić/Stojić Defence	Admitted
1D 00942	Prlić Defence/Prosecution	Moot (Reason: Already admitted on 3 July 2008)
1D 00970	Prosecution	Admitted
1D 01192	Prlić Defence	Admitted
1D 01193	Prlić Defence	Admitted
1D 01276	Prlić Defence	Admitted
1D 01282	Prlić Defence	Admitted
1D 01287	Prlić Defence	Admitted
1D 01297	Prlić Defence	Admitted
1D 01301	Prlić Defence	Admitted
1D 01302	Prlić Defence	Admitted
1D 01307	Prlić Defence	Admitted
1D 01310	Prlić Defence	Admitted
1D 01347	Prlić Defence	Admitted
1D 01348	Prlić Defence	Admitted
1D 01351	Prlić Defence	Not admitted (Reason: document not presented to the witness at the hearing)
1D 01403	Prlić Defence	Admitted
1D 01408	Prlić Defence	Admitted
1D 01443	Prlić Defence	Admitted
1D 01773	Prlić Defence	Admitted
1D 01939	Prosecution	Admitted
1D 01940	Prlić Defence	Admitted
1D 01942	Prlić Defence	Admitted
1D 01945	Prlić Defence	Admitted
1D 01958	Prlić Defence	Admitted
1D 01972	Prlić Defence	Admitted
1D 02014	Prlić Defence	Admitted
1D 02077	Prlić Defence	Admitted
1D 02096	Prlić Defence	Admitted
1D 02147	Prlić Defence	Admitted
1D 02292	Prlić Defence	Admitted

1D 02308	Prlić Defence	Admitted
1D 02309	Prlić Defence	Admitted
1D 02314	Prlić Defence	Not admitted (Reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document)
1D 02322	Prlić Defence	Admitted
1D 02407	Prlić Defence	Admitted
1D 02408	Prlić Defence	Admitted
1D 02409	Prlić Defence	Admitted
1D 02410	Prlić Defence	Admitted
1D 02411	Prlić Defence	Admitted
1D 02412	Prlić Defence	Admitted
1D 02413	Prlić Defence	Admitted
1D 02418	Prlić Defence	Admitted
1D 02431	Prlić Defence	Moot (Reason: Already admitted on 3 July 2008)
1D 02432	Prosecution	Admitted
1D 02438	Prlić Defence	Admitted
1D 02454	Prlić Defence	Admitted
1D 02456	Prlić Defence	Admitted
1D 02458	Défense Stojić	Admitted
1D 02468	Prlić Defence	Admitted
1D 02564	Prlić Defence	Admitted
1D 02565	Prlić Defence	Admitted
1D 02663	Prlić Defence	Admitted
1D 02664	Prlić Defence	Admitted
1D 02673	Prlić Defence	Admitted
1D 02685	Prlić Defence	Admitted
1D 02728	Prlić Defence	Admitted
1D 02832	Prlić Defence	Admitted
1D 02840	Prlić Defence	Admitted
1D 02847	Prlić Defence	Admitted
1D 02848	Prlić Defence	Admitted
1D 02849	Prlić Defence	Admitted
1D 02850	Prlić Defence	Admitted
1D 02851	Prlić Defence	Admitted
1D 02852	Prlić Defence	Admitted
1D 02853	Prlić	Admitted

	Defence/Prosecution	
1D 02869	Prlić Defence	Admitted
1D 02870	Prlić Defence	Admitted
1D 02871	Prlić Defence	Admitted
1D 02873	Prlić Defence	Admitted
1D 02883	Prlić Defence	Admitted
1D 02884	Prlić Defence	Admitted
1D 02885	Prlić Defence	Admitted
1D 02888	Prlić Defence	Admitted
1D 02889	Prlić Defence	Admitted
1D 02890	Prlić Defence	Admitted
1D 02891	Prlić Defence	Admitted
1D 02892	Prlić Defence	Admitted
1D 02903	Prlić Defence	Admitted
1D 02904	Prlić Defence	Admitted
1D 02906	Prlić Defence	Admitted
1D 02908	Prlić Defence	Admitted
1D 02914	Prlić Defence	Admitted
1D 02940	Prlić Defence	Admitted
2D 00101	Stojić Defence	Admitted
2D 00147	Stojić Defence	Admitted
2D 00228	Stojić Defence	Not admitted (Reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document)
2D 00473	Stojić Defence	Admitted
2D 00544	Stojić Defence	Admitted
2D 00686	Stojić Defence	Admitted
2D 00705	Stojić Defence	Admitted
2D 00902	Stojić Defence	Admitted
2D 01404	Stojić Defence	Admitted
2D 01405	Stojić Defence	Admitted
2D 01406	Stojić Defence	Not admitted (Reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document)
2D 01407	Stojić Defence	Admitted
2D 01408	Stojić Defence	Admitted

2D 01409	Stojić Defence	Admitted
2D 01410	Stojić Defence	Admitted
4D 00826	Petković Defence	Admitted
4D 01234	Petković Defence	Admitted
5D 04271	Prosecution	Admitted
P 00151	Prosecution	Admitted
P 00154	Prosecution	Admitted
P 00195	Prosecution	Not admitted (Reason: witness unable to explain to the Chamber the authenticity, relevance or probative value of the document)
P 00697	Prosecution	Admitted
P 01186	Prosecution	Admitted
P 01312	Prosecution	Admitted
P 07260, pages 2 to 4, 15 to 20 and 48	Prosecution	Admitted, pages ⁷ 2 to 4, 15 to 20 and 48
P 07480, pages 1, 15 and 16	Prosecution	Admitted, pages 1, 15 and 16
P 07516, pages 1, 71 and 72	Prosecution	Admitted, pages 1, 71 and 72
P 07856, pages 43, 86, 89 and 90	Prosecution	Admitted, pages 43, 86 and 90 Non admitted, page 89 (Reason: document not presented to the witness at the hearing)
P 08012, pages 23, 24, 29 and 57	Prosecution	Admitted, pages 23, 24, 29 and 57
P 10464	Prosecution	Admitted
P 10467, pages 1 to 8	Prosecution	Admitted, pages 1 to 8
P 10468	Prosecution	Admitted
P 10472	Prosecution	Admitted
P 10473	Prosecution	Admitted
P 10481	Prosecution	Admitted
P 10482	Prosecution	Admitted
P 10484	Prosecution	Moot (Reason: Already admitted on 3 July 2008)
P 10485	Prosecution	Moot (Reason: Already admitted on 3 July 2008)
P 10490	Prosecution	Admitted
P 10496, pages 1, 2/8 to	Prosecution	Admitted, pages 1 to 8

⁷ The pages indicated in this column refer to pages in the e-court electronic system.

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P 10508, pages 202 to 204.	Prosecution	Admitted, pages 202 to 204
P 10509	Prosecution	Admitted