



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: 16 December 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

Decision of: 16 December 2008

THE PROSECUTOR

v.

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

PUBLIC

**DECISION ON PROSECUTION REQUEST TO RELEASE DOCUMENTS ON
THE ECOURT SYSTEM**

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”),

SEIZED of the Prosecution Request that the Trial Chamber Approve the Release of Documents on the Ecourt System, filed by the Office of the Prosecutor (“Prosecution”) on 27 November 2008 (“Request”) in which the Prosecution requests that the Chamber order the immediate transfer of all the documents mentioned in expert witness Milan Cvikl’s report (“Cvikl Report Documents”) to the *e-court* system,

NOTING the Decision on Prlić Defence Motion to Add Exhibits to its 65 *ter* Exhibit List, rendered by the Chamber on 18 November 2008 (“Decision of 18 November 2008”), in which it authorised Counsel for the Accused Prlić to add the exhibit mentioned in the report of their expert witness Milan Cvikl to the lists of exhibits established pursuant to Rule 65 *ter* of the Rules of Procedure and Evidence (“Rules”),

NOTING the email sent to the Parties by the Chamber on 1 December 2008, in which the Chamber, first, noted that the documents whose addition to the 65 *ter* list had been authorised by the Decision of 18 November 2008 were now available on the *e-court* system and, second, consequently requested that the Prosecution specify which documents, as appropriate, among the Cvikl Report Documents it wished to have uploaded onto the *e-court* system,

NOTING the email sent by the Prosecution to the Chamber and the Defence teams on 1 December 2008 in which it responded that all the Cvikl Report Documents were now available on the *e-court* system,

CONSIDERING that the Chamber notes that the Prosecution admits that it now has access to all the Cvikl Report Documents,

CONSIDERING that the Chamber consequently finds that the Request has become moot,

FOR THE FOREGOING REASONS,

PURSUANT TO Rule 54 of the Rules,

DECLARES the Request moot.

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

/signed/

Jean-Claude Antonetti
Presiding Judge

Done this sixteenth day of December 2008
At The Hague
The Netherlands

[Seal of the Tribunal]