



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 E-court 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 Cvikić’s report (“Cvikić 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 Cvikić 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 Cvikić 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 Cvikić 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 Cvikić 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/*

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Jean-Claude Antonetti  
Presiding Judge

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

**[Seal of the Tribunal]**