



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: 22 March 2010
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 John Hocking

Order of: 22 March 2010

THE PROSECUTOR

v.

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

PUBLIC

**ORDER TO ADMIT EVIDENCE REGARDING 92 *ter* WITNESS MIROSLAV
DESNICA**

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 Čorić
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”),

NOTING the request for admission of four exhibits¹ (“Proposed Exhibits”) presented by Counsel for the Accused Valentin Ćorić (“Ćorić Defence”), relating to the testimony of Miroslav Desnica (“Witness”), who appeared before the Chamber on 15 March 2010 pursuant to Rule 92 *ter* of the Rules of Procedure and Evidence (“Rules”)²,

CONSIDERING that the other Parties did not enter requests for admission of evidence through the agency of this witness and did not express any objections to the request for admission presented by the Ćorić Defence,

CONSIDERING that the Chamber examined each of the Proposed Exhibits applying the criteria of admissibility defined in the “Decision on Admission of Evidence”, delivered by the Chamber on 13 July 2006 and in the “Decision Adopting Guidelines for the Presentation of Defence Evidence”, delivered by the Chamber on 24 April 2008³,

CONSIDERING that the Chamber decides to admit into evidence the Proposed Exhibits, as they were shown to Witness Miroslav Desnica and display sufficient indicia of relevance, probative value and reliability,

¹ 5D 05109, 5D 05113, 5D 05114 and 5D 05115.

² IC 01202.

³ Guideline 8: The Admission of Documentary Evidence through a Witness.

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules,

GRANTS the request for admission made by the Ćorić Defence,

AND

DECIDES that there is reason to admit Proposed Exhibits 5D 05109, 5D 05113, 5D 05114 and 5D 05115 into evidence.

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

/signed/

Jean-Claude Antonetti

Presiding Judge

Done this twenty-second day of March 2010

At The Hague

The Netherlands

[Seal of the Tribunal]