



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: 7 June 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: 7 June 2010

THE PROSECUTOR

v.

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

PUBLIC

**ORDER SUBSTITUTING PROVISIONAL VERSIONS OF EXHIBITS P 09870
AND P 10222 BY THEIR FINAL VERSIONS**

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”);

PROPRIO MOTU,

NOTING the “Decision on Prosecution Motion to Admit Testimonies Pursuant to Rule 92 *bis* of the Rules (Jablanica)”, rendered by the Chamber confidentially on 12 July 2007, in which the Chamber admitted under seal the transcript of the testimony of Witness D in the case of the *Prosecutor v. Mladen Naletilić and Vinko Martinović* (“*Naletilić Case*”) marked as P 09870,

NOTING the “Decision on Prosecution Motion for Admission of Evidence Pursuant to Rule 92 *bis* of the Rules (Heliodrom and Generally)”, rendered by the Chamber confidentially on 12 December 2007, in which the Chamber admitted under seal the transcript of the testimony of Witness AC in the *Naletilić Case* marked as P 10222,

CONSIDERING that the Registry informed the Chamber that the provisional versions of the transcripts admitted under number P 09870 and P 10222 have not been replaced by their final versions in the *ecourt* system,¹

CONSIDERING that the Chamber deems that it is not in the interest of justice for evidence to consist of unofficial or unrevised transcripts that include potentially confidential information and that do not reflect the accurate and full recording of previous proceedings,

CONSIDERING that the Chamber deems it necessary that the transcripts of previous cases admitted in the present case and uploaded onto *ecourt* are the final versions and to order the Office of the Prosecutor (“Prosecution”) to replace, in co-operation with the Registry, the provisional versions of the transcripts admitted under numbers P 09870 and P 10222 by their final versions,

¹ The Registry informed the Chamber of this in an email dated 10 May 2010.

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 of the Rules of Procedure and Evidence,

ORDERS the Prosecution, in co-operation with the Registry, to replace the provisional versions of the transcripts admitted under numbers P 09870 and P 10222 by their final versions, **AND**

ORDERS the Prosecution to ensure that all the transcripts of previous cases admitted in the present case and uploaded onto the *ecourt* system are the definitive versions of these transcripts.

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

/signed/

Judge Jean-Claude Antonetti
Presiding Judge

Done this seventh day of June 2010

At The Hague

The Netherlands

[Seal of the Tribunal]