



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: 11 December 2007
Original: ENGLISH
French

IN TRIAL CHAMBER III

Before: Judge Jean-Claude Antonetti
Judge Árpád Prandler
Judge Stefan Trechsel
Reserve Judge Antoine Kesia-Mbe Mindua

Registrar: Mr Hans Holthuis

Order of: 11 December 2007

THE PROSECUTOR

v.

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

PUBLIC

ORDER TO ADMIT EVIDENCE REGARDING WITNESS RAY LANE

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”),

CONSIDERING that the Office of the Prosecutor (“Prosecution”) requested the admission of 10 pieces of evidence¹ while Counsel for the Accused Prlić (“Prlić Defence”), Counsel for the Accused Stojić (“Stojić Defence”), Counsel for the Accused Praljak (“Praljak Defence”) and Counsel for the Accused Petković (“Petković Defence”) requested the admission of 2,² 11,³ 8,⁴ and 6⁵ pieces of evidence, respectively, related to the testimony of Witness Ray Lane (“Proposed Exhibits”) who appeared before the Chamber on 15 and 17 October 2007,

CONSIDERING that the Chamber has examined the objections presented by the Prosecution and the Ćorić Defence to the admission of the Proposed Exhibits,⁶

CONSIDERING that the Chamber has examined each of the Proposed Exhibits on the basis of the admissibility criteria set out in its Decision of 13 July 2006 on the admission of evidence (“Decision of 13 July 2006”),

CONSIDERING that the Chamber notes that Exhibits P 01105 and P 01238 have already been admitted and that, consequently, the requests in respect thereof are moot,

CONSIDERING that the Chamber decides to admit into evidence the documents indicated “Admitted” in the Annex attached to this decision since they were put to Witness Ray Lane and bear sufficient indicia of relevance, probative value, and reliability,

CONSIDERING that the Chamber decides not to admit into evidence the Proposed Exhibits indicated “Not Admitted” in the Annex attached to this decision since they do not fulfil the instructions of the Decision of 13 July 2006,

¹ IC 00700.

² IC 00695.

³ IC 00701.

⁴ IC 00702.

⁵ IC 00703.

⁶ IC 00704; IC 00705; IC 00706.

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 89 of the Rules of Procedure and Evidence,

GRANTS the requests for admission of the Prlić Defence,

PARTIALLY GRANTS the requests for admission of the Prosecution, the Stojić Defence, the Praljak Defence and the Petković Defence,

DECIDES that the documents indicated “Admitted” in the Annex attached to this Decision should be admitted into evidence, **AND**

DECIDES by a majority to reject Exhibits 2D 00546, 3D 01095, P 01322, P 01341 for the reasons stated in the Annex attached to this Decision.

DENIES in all the other respects the requests for admission of the Prosecution and the Petković Defence for the reasons stated 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 eleventh day of December 2007
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)
IC 00693	Prosecution	Admitted.
P 00682	Prosecution	Admitted.
P 01155	Prosecution	Already admitted on 12 June 2007.
P 01214	Prosecution	Admitted.
P 01238	Prosecution	Already admitted on 8 November 2007.
P 01303	Prosecution	Admitted under seal.
P 01309	Prosecution	Admitted under seal.
P 10288	Prosecution	Admitted under seal.
P 10289	Prosecution	Admitted.
P 10319	Prosecution	Admitted in part. ⁷
1D 01053	Prlić Defence	Admitted.
1D 01521	Prlić Defence	Admitted.
2D 00546	Stojić Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the relevance of this document within the framework of his testimony).
2D 00548	Stojić Defence	Admitted.
2D 00549	Stojić Defence	Admitted.
2D 00550	Stojić Defence	Admitted.
2D 00551	Stojić Defence	Admitted.
2D 00559	Stojić Defence	Admitted.
2D 00560	Stojić Defence	Admitted.
2D 00561	Stojić Defence	Admitted.
2D 00562	Stojić Defence	Admitted.
2D 00563	Stojić Defence	Admitted.
2D 00564	Stojić Defence	Admitted.
IC 00696	Praljak Defence	Admitted.
IC 00697	Praljak Defence	Admitted.
IC 00698	Praljak Defence	Admitted.
IC 00699	Praljak Defence	Admitted.
2D 00458	Praljak Defence	Admitted.
3D 01094	Praljak Defence	Admitted.
3D 01095	Praljak Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing).
3D 01096	Praljak Defence	Admitted.
P 01214	Petković Defence	Admitted.
P 01286	Petković Defence	Admitted.

⁷ Only the passages of the English document are admitted shown in *e-court* on pages: 3;, 9, para. 37; 10, paras. 45, 47, 50; 18, para. 96; 21, para. 112; 22.

P 01322	Petković Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing).
P 01341	Petković Defence	Not admitted (Reason: witness unable to provide the Chamber with information about the authenticity, relevance or probative value at the hearing)
P 01467	Petković Defence	Admitted.
P 01481	Petković Defence	Not admitted (Reason: Defence Counsel did not question the witness about this document).