



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-08-91-T  
Date: 17 March 2010  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Burton Hall, Presiding  
Judge Guy Delvoie  
Judge Frederik Harhoff

**Registrar:** Mr. John Hocking

**Decision of:** 17 March 2010

**PROSECUTOR**

**v.**

**MIĆO STANIŠIĆ AND STOJAN ŽUPLJANIN**

***PUBLIC***

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**DECISION GRANTING MIĆO STANIŠIĆ'S MOTION  
FOR ADMISSION OF EXHIBITS**

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**The Office of the Prosecutor**

Ms. Joanna Korner  
Mr. Thomas Hannis

**Counsel for the Accused**

Mr. Slobodan Zečević and Mr. Slobodan Cvijetić for Mićo Stanišić  
Mr. Igor Pantelić and Mr. Dragan Krgović for Stojan Župljanin

**TRIAL CHAMBER II** (“Trial 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”);

**BEING SEISED** of the “Mr. Mićo Stanišić’s motion for admission of exhibits regarding the 92ter testimony of witness ST-54” filed on 11 February 2010 (“Motion”), whereby the Defence of Mićo Stanišić (“Stanišić Defence”) requests that nine documents with identification numbers 1D03-0897, 1D03-0899, 1D03-0902, 1D03-0912, 1D03-0920, 1D03-0960, 1D03-0976, 1D03-0978 and 1D03-1007 (“Documents”) be admitted into evidence;

**NOTING** that neither the Prosecution nor the Defence of Stojan Župljanin responded to the Motion;

**NOTING** that Asim Egrlić (ST054) testified on 3 and 4 February 2010 and confirmed, in accordance with Rule 92 *ter* of the Rules of Procedure and Evidence of the Tribunal (“Rules”), that he previously testified in the *Brdanin* case and in the *Krajišnik* case, that he had had an opportunity to review his testimony in both cases and that if asked the same questions his answers would remain the same;<sup>1</sup>

**NOTING** that after the Prosecution’s examination-in-chief of Asim Egrlić, the Trial Chamber admitted into evidence the transcripts of his testimony in the *Brdanin* case and in the *Krajišnik* case as well as a number of documents selected by the Prosecution and exhibited in those cases (“Rule 92 *ter* package”);<sup>2</sup>

**NOTING** that before Asim Egrlić’s testimony began, the Stanišić Defence requested to admit into evidence “approximately ten exhibits [...] from those two trials [which] are linked to [his] testimony”, but were not offered by the Prosecution in the Rule 92 *ter* package, in order that the Trial Chamber “have the full picture”, and stated that, were the Trial Chamber to admit the Documents, the Stanišić Defence would not need to cross-examine Asim Egrlić on the Documents;<sup>3</sup>

**CONSIDERING** that the Stanišić Defence’s request is a request pursuant Rule 89(C), which permits a Chamber to admit any relevant evidence which it deems to have probative value;

<sup>1</sup> Hearing, 3 Feb 2010, T. 6057. See also Decision on Prosecution’s motions for admission of evidence of 33 witnesses pursuant to Rule 92 *ter*, 2 Oct 2009, para. 17

<sup>2</sup> *Id.*, T. 6102.

<sup>3</sup> *Id.*, T 6054-6055.

**CONSIDERING** that the Documents were shown to Asim Egrlić and admitted into evidence during his testimony in the *Brdanin* case and the *Krajišnik* case;<sup>4</sup>

**CONSIDERING** that the Documents are relevant to and have probative value in respect of the charges against the Accused in the present case;

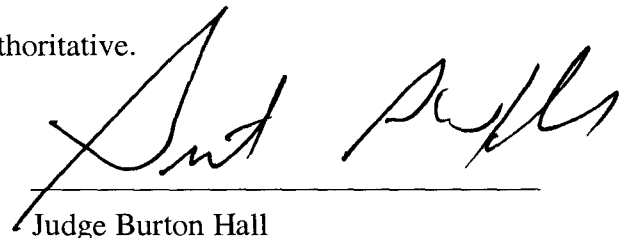
**PURSUANT TO** Rule 89(C) of the Rules;

**GRANTS** the Motion;

**ADMITS** the Documents into evidence; and

**ORDERS** the Registrar to assign the next available Defence exhibit numbers to the Documents.

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



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Judge Burton Hall  
Presiding

Dated this seventeenth day of March 2010

At The Hague

The Netherlands

**[Seal of the Tribunal]**

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<sup>4</sup> 1D03-0897, 1D03-0899, 1D03-0902, 1D03-0912, 1D03-0920 and 1D03-0960 were admitted into evidence in the *Brdanin* case and given exhibit numbers P863, P870, P872, P905.3, P1101 and P1115 respectively. 1D03-0976, 1D03-0978 and 1D03-1007 were admitted into evidence in the *Krajišnik* case and given exhibit numbers P226, P232 and P250 respectively.