



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
former Yugoslavia since 1991

Case No. IT-05-87-PT
Date: 26 May 2006
Original: English

IN TRIAL CHAMBER III

Before: Judge Iain Bonomy, Presiding
Judge Krister Thelin
Judge Frank Höpfel

Registrar: Mr. Hans Holthuis

Order of: 26 May 2006

PROSECUTOR

v.

**MILAN MILUTINOVIĆ
NIKOLA ŠAINOVIĆ
DRAGOLJUB OJDANIĆ
NEBOJŠA PAVKOVIĆ,
VLADIMIR LAZAREVIĆ,
VLASTIMIR ĐORĐEVIĆ
SRETEN LUKIĆ**

ORDER SUSPENDING PROVISIONAL RELEASE OF EACH ACCUSED

The Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp
Ms. Christina Moeller
Ms. Patricia Fikirini
Mr. Mathias Marcussen

Government of Serbia and Montenegro

Government of the Republic of Serbia

Government of the Netherlands

Counsel for the Accused

Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Mr. Milan Milutinović
Mr. Toma Fila and Mr. Vladimir Petrović for Mr. Nikola Šainović
Mr. Tomislav Višnjic and Mr. Norman Sepenuk for Mr. Dragoljub Ojdanić
Mr. John Ackerman and Mr. Aleksander Aleksić for Mr. Nebojša Pavković
Mr. Mihajlo Bakrač for Mr. Vladimir Lazarević
Mr. Branko Lukić for Mr. Sreten Lukić

THIS 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 (the “International Tribunal”), organized for the purpose of conducting pre-trial work in this case,

NOTING Orders, dated 12 May 2006, by which the President of the Tribunal assigned Judge Krister Thelin and Judge Frank Höpfel to this Trial Chamber for the purpose of conducting pre-trial work in this case,

NOTING the Decisions granting provisional release for the Accused Milan Milutinović,¹ Nikola Šainović,² Dragoljub Ojdanić,³ Nebojša Pavković,⁴ Vladimir Lazarević⁵ and Sreten Lukić⁶ (collectively, the “Decisions”),

NOTING the provision, contained in each Decision, obliging each Accused “to return to the International Tribunal at such time and on such date as the Trial Chamber may order”,

CONSIDERING that the Pre-Trial Judge has scheduled the Pre-Trial Conference in this case for 7 July 2006⁷ and has indicated that trial will commence on 10 July 2006,⁸

PURSUANT TO Article 29 of the Statute of the International Tribunal and Rules 54 and 65 of the Rules of Procedure and Evidence,

HEREBY SUSPENDS, effective 4 July 2006, the provisional release of each Accused and **ORDERS** as follows:

- (1) each Accused shall return to the United Nations Detention Unit no later than 2:00 P.M. on Tuesday, 4 July 2006;

¹ *Prosecutor v. Milutinović et al.*, Case No. IT-99-37-PT, Decision on Second Application for Provisional Release, 14 April 2005.

² *Prosecutor v. Milutinović et al.*, Case No. IT-99-37-PT, Decision on Third Defence Request for Provisional Release, 14 April 2005.

³ *Prosecutor v. Milutinović et al.*, Case No. IT-99-37-PT, Decision on General Ojdanić’s Fourth Application for Provisional Release, 14 April 2005.

⁴ *Prosecutor v. Milutinović et al.*, Case No. IT-05-87-PT, Second Decision on Nebojša Pavković’s Provisional Release, 18 November 2005.

⁵ *Prosecutor v. Pavković et al.*, Case No. IT-03-70-PT, Decision on Defence Request for Provisional Release, 14 April 2005.

⁶ *Prosecutor v. Pavković et al.*, Case No. IT-05-87-PT, Decision on Sreten Lukić’s Provisional Release, 3 October 2005.

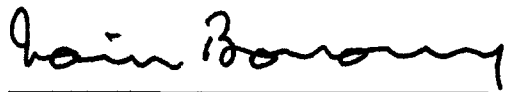
⁷ *Prosecutor v. Milutinović et al.*, Case No. IT-05-87-PT, Pre-Trial Order and Appended Work Plan, 5 April 2006.

⁸ *Ibid.*

- (2) the Government of Serbia and Montenegro and the Government of the Republic of Serbia shall ensure that each Accused is transported, under guard, from the municipality of Belgrade to Schiphol Airport;
- (3) the Government of the Netherlands shall ensure that each Accused is transported, under guard, from Schiphol Airport to the United Nations Detention Unit;
- (4) the Government of Serbia and Montenegro, the Government of the Republic of Serbia, the Government of the Netherlands and the Registry of the International Tribunal shall communicate with each other to facilitate the orderly return of each Accused to the United Nations Detention Unit;
- (5) this suspension of provisional release shall remain in effect until modified by the Trial Chamber.

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

Dated this twenty-sixth day of May 2006.
At The Hague,
The Netherlands.



Judge Iain Bonomy
Presiding

[Seal of the Tribunal]