



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-05-87-T

Date: 20 July 2007

Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Ali Nawaz Chowhan  
Judge Tsvetana Kamenova  
Judge Janet Nosworthy, Reserve Judge

**Registrar:** Mr. Hans Holthuis

**Decision of:** 20 July 2007

**PROSECUTOR**

**v.**

**MILAN MILUTINOVIĆ  
NIKOLA ŠAINOVIĆ  
DRAGOLJUB OJDANIĆ  
NEBOJŠA PAVKOVIĆ  
VLADIMIR LAZAREVIĆ  
SREten LUKIĆ**

***PUBLIC***

**ORDER TO RESPOND TO PROSECUTION NOTICE  
PURSUANT TO RULE 94 *BIS* (B)**

**Office of the Prosecutor**

Mr. Thomas Hannis  
Mr. Chester Stamp

**Counsel for the Accused**

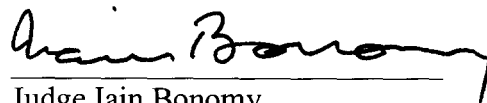
Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Mr. Milan Milutinović  
Mr. Toma Fila and Mr. Vladimir Petrović for Mr. Nikola Šainović  
Mr. Tomislav Višnjić and Mr. Norman Sepenuk for Mr. Dragoljub Ojdanić  
Mr. John Ackerman and Mr. Aleksandar Aleksić for Mr. Nebojša Pavković  
Mr. Mihajlo Bakrač and Mr. Đuro Čepić for Mr. Vladimir Lazarević  
Mr. Branko Lukić and Mr. Dragan Ivetić 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 ("Tribunal") issues this order *ex proprio motu* with regard to the Notices Pursuant to Rule 94 *bis* (B), filed by the Office of the Prosecutor ("Prosecution") on 11 July 2007.

1. In its Notices Pursuant to Rule 94 *bis* (B), the Prosecution challenges, *inter alia*, the qualifications of the proposed Defence expert witness Professor Ratko Marković, and objects to the admission of his proposed expert report, which was provided by the Defence for Milan Milutinović on 15 June 2007.

2. Considering that the case for the accused Milan Milutinović is scheduled to begin on 6 August 2007, and Professor Marković is expected to be the first witness called, it is necessary for the Trial Chamber to determine whether or not he may testify as an expert and whether his report may be admitted in whole or in part, as quickly as possible. Further submissions from the Defence for Milan Milutinović would be of assistance to the Chamber in this regard. Accordingly, the Trial Chamber hereby ORDERS, pursuant to Rule 54 of the Rules of Procedure and Evidence of the Tribunal, the Defence for Milan Milutinović to file a response to the Prosecution Notices Pursuant to Rule 94 *bis* (B), insofar as the Notices relate to Professor Ratko Marković, by 27 July 2007.

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



Judge Iain Bonomy  
Presiding

Dated this twentieth day of July 2007  
At The Hague  
The Netherlands

[Seal of the Tribunal]