



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: 30 August 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

Order of: 30 August 2007

PROSECUTOR

v.

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

PUBLIC

ORDER PURSUANT TO RULE 81(A)

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

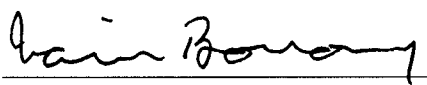
THIS TRIAL CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Tribunal”) issues this order pursuant to Rule 81(A) of the Rules of Procedure and Evidence of the Tribunal (“Rules”) regarding the hearing held in the above-captioned matter on 28 August 2007.

1. On 28 August 2007, the Trial Chamber was informed by the Registry that there was a power failure in the courtroom and that some of the electrical services would be unavailable for the hearing.¹ An oral hearing on a motion made by one of the parties,² rather than the adducement of evidence, was scheduled to take place at the start of the hearing, and the Chamber decided to resume court as planned and enquire with the parties whether they objected to continuing with oral arguments upon the motion. At the commencement of the hearing, the Chamber enquired with the parties whether they consented to continuing without interpretation, noting that minutes of the proceedings would be prepared and a translation thereof provided to the Accused later. All parties consented.³ The hearing adjourned shortly thereafter due to further technical difficulties.⁴

2. Rule 81(A), entitled “Records of Proceedings and Evidence,” provides that “[t]he Registrar shall cause to be made and preserve a full and accurate record of all proceedings, including audio recordings, transcripts and, when deemed necessary by the Trial Chamber, video recordings.”

3. Accordingly, the Trial Chamber, pursuant to Articles 20 and 21 of the Statute of the Tribunal and Rules 54 and 81(A), hereby DECIDES that it is in the interests of a fair and expeditious trial to exempt the Registry from the above requirement of making and preserving a transcript and audio and video recording of the hearing held on 28 August 2007 and DIRECTS the Registry to furnish the Accused with a translation of the minutes of the proceedings held on 28 August 2007 as soon as possible.

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


 Judge Iain Bonomy
 Presiding

Dated this thirtieth day of August 2007
 At The Hague
 The Netherlands

[Seal of the Tribunal]

¹ Email from Registry, dated 28 August 2007.

² Sreten Lukić’s Re-Filed Motion for an Order Barring Contact with Defence Witnesses, 8 August 2007.

³ T. 14502–14503 (28 August 2007).

⁴ T. 14507 (28 August 2007).