



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-AR65.3
Date: 14 December 2007
Original: English

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Fausto Pocar, President
Registrar: Mr. Hans Holthuis
Order of: 14 December 2007

PROSECUTOR

v.

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

PUBLIC

ORDER

The 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 Alekšić 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

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I, FAUSTO POCAR, President 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”),

NOTING “Pavković Appeal Pursuant to Rule 116 *bis* against the Decision on Pavković Motion for Temporary Provisional Release, dated 12 December 2007” (“Appeal”) filed on 13 December 2007;

CONSIDERING Article 14 of the Tribunal’s Statute as well as Rule 19(A), Rule 28(C), (D), (E), and (F), and Rule 65(D) of the Tribunal’s Rules of Procedure and Evidence;

CONSIDERING that the Appeal was delivered to the Appeals Chamber only today, 14 December 2007;

CONSIDERING therefore that no bench of the Appeals Chamber can be constituted to consider the Appeal before the beginning of the Tribunal’s recess;

CONSIDERING that the Appeal requests that Nebojša Pavković be provisionally released on “compassionate grounds” during the Tribunal’s recess;

REQUESTS the Registry to transmit the Appeal to the Duty Judge, in order for him to consider whether the matter falls under his prerogatives.

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

Done this 14th day of December 2007,
At The Hague,
The Netherlands.



Judge Fausto Pocar
President

[Seal of the Tribunal]