



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: 14 January 2008
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: 14 January 2008

PROSECUTOR

v.

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

PUBLIC

**DECISION ON LAZAREVIĆ FOURTH AND FIFTH MOTIONS TO AMEND
RULE 65 TER EXHIBIT LIST**

Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

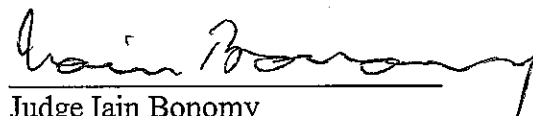
Counsel for the Accused

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”) is seised of “Vladimir Lazarević’s Fourth Motion to Amend Rule 65ter Exhibit List,” filed 27 December 2007 (“Fourth Motion”), and “Vladimir Lazarević’s Fifth Motion to Amend Rule 65ter Exhibit list,” filed 7 January 2008 (“Fifth Motion”) (collectively “Motions”), and hereby issues this decision thereon.

1. In the Motions, the Lazarević Defence seeks to add documents to its Rule 65 *ter* exhibit list¹ on the bases that they were either unintentionally omitted from the initial exhibit list or were provided only recently by the witness Goran Jevtović during his proofing. The Lazarević Defence argues that the documents are relevant to the trial and indispensable for the presentation of the defence case and that their addition to the list would serve the interests of justice.
2. The Chamber notes that the Prosecution did not respond to the Fourth Motion prior to the fourteen-day response time allowed to a party pursuant to Rule 126 *bis*. The Prosecution has indicated that it does not intend to oppose the Fifth Motion.
3. Accordingly, the Trial Chamber, pursuant to Rules 54 and 65 *ter* of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motions.

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



Judge Iain Bonomy
Presiding

Dated this fourteenth day of January 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ See confidential Vladimir Lazarević’s Defence Rule 65ter Submission, 15 June 2007; confidential Mr. Vladimir Lazarević’s Revised Defence Rule 65ter (G) Submission, 20 August 2007; *see also* Decision on Lazarević Motion to Amend Rule 65 *ter* Exhibit List, 26 October 2007; Decision on Lazarević Second and Third Motions to Amend Rule 65 *ter* Exhibit List, 14 November 2007.