



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: 7 March 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

Order of: 7 March 2008

PROSECUTOR

v.

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

PUBLIC

ORDER RE EXHIBITS 5D1289 AND 6D237

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 the “Defence Request Regarding Exhibit 5D1289,” filed by the Lazarević Defence on 4 March 2008, and “Sreten Lukić’s Request Regarding Exhibit 6D237,” filed on 29 February 2008 (“Motions”), and hereby issues this order thereon.

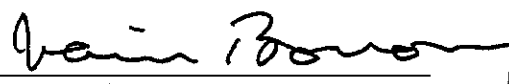
1. On 9 November 2007, exhibit 5D1289 was marked for identification pending translation. Moreover, the Chamber commented that the Lazarević Defence was required to further establish its authenticity in order for it to be admitted into evidence.¹ The Lazarević Defence submits that the authenticity of exhibit 5D1289 was established during the testimony of Miroslav Mijatović on 13 February 2008, when he testified that that it had been produced by the MUP Staff and signed by himself.² The Lazarević Defence also informs the Chamber and the parties that a translation of exhibit 5D1289 has been uploaded to eCourt, and therefore requests that exhibit 5D1289 and its translation be admitted into evidence.

2. On 13 February 2008, exhibit 6D237 was marked for identification pending translation. The Lukić Defence informs the Chamber and the parties that exhibit 6D237 has been translated and uploaded to eCourt, and requests that the exhibit and its translation be admitted into evidence.

3. The Prosecution has indicated that it does not intend to oppose the Motions.

4. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motions and ORDERS that exhibits 5D1289 and 6D237 along with their translations shall be admitted into evidence.

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



Judge Iain Bonomy
Presiding

Dated this seventh day of March 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ T. 18051 (9 November 2007).

² T. 22287–22288 (13 February 2008).