



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: 13 May 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: 13 May 2008

PROSECUTOR

v.

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

PUBLIC

DECISION ON PAVKOVIĆ MOTION TO CALL HANDWRITING EXPERT

Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

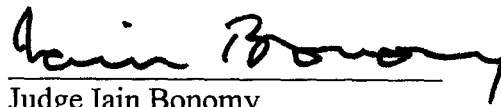
Counsel for the Accused

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 seized of a “Pavković Motion to Amend the 65ter Witness and Exhibit List to Call Handwriting Expert with Annex A,” filed 5 May 2008 (“Motion”), and hereby renders its decision thereon.

1. In the Motion, the Pavković Defence requests leave of the Chamber to lead additional evidence (in the form of a handwriting expert) in order to counter the Ojdanić Defence’s evidence regarding the authenticity of the 25 May 1999 report (P1459).
2. The Prosecution and the Ojdanić Defence have indicated that they do not oppose the Motion.
3. On 12 May 2008, the Pavković Defence informed the Chamber (via email), “For various technical reasons, including a delay in getting exemplars from Mladenovski, we will be unable to call our handwriting expert. There is simply insufficient time left in the case for it to come together.”
4. The Chamber notes that there is no indication of the length of time the work the Pavković Defences requires would take to complete, nor any indication that anyone has obstructed efforts to secure relevant material.
5. Accordingly, the Trial Chamber, pursuant to Rules 54, 65 *ter*, 89, and 94 *bis* of the Rules of Procedure and Evidence of the Tribunal, hereby CONFIRMS the Pavković Defence’s withdrawal of the Motion.

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


 Judge Iain Bony
 Presiding

Dated this thirteenth day of May 2008
 At The Hague
 The Netherlands

[Seal of the Tribunal]