



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 December 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

Decision of: 7 December 2007

PROSECUTOR

v.

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

PUBLIC

**DECISION REGARDING OUTSTANDING TRANSLATIONS AND ADMISSION OF
MILUTINOVIĆ DEFENCE EXHIBITS**

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 a “Defence Request Regarding Outstanding MFI and Translation Matters”, filed by Milutinović Defence on 16 November 2007 (“Motion”), and hereby renders its decision thereon.

1. In its Motion, the Milutinović Defence notifies the Chamber that outstanding translations of 1D614, 1D615, 1D750, and 1D751, exhibits which have previously been marked for identification (MFI-ed), have now been received. It thus seeks leave to upload them into e-Court and requests their admission.¹

2. In addition, the Milutinović Defence asks that exhibit 1D63, currently also MFI-ed, be admitted into evidence on the basis that the original of this exhibit, a letter of invitation, already contains an English version of that letter.²

3. The Milutinović Defence further asks that the translation of exhibit 1D744, which was originally sourced on the internet, now be replaced with an official, CLSS, translation.³

4. The Milutinović Defence also informs the Chamber that it has received translations of Laws on Implementation of the SFRY and Serbian Constitutions. The originals of these two laws were originally admitted together with the SFRY and the Serbian Constitution under exhibit numbers P1623 and P855 respectively, but, unlike the Constitutions themselves, were not translated. Thus, on 14 August 2007, the Chamber instructed the Milutinović Defence to make available those translations.⁴ The Milutinović Defence now notifies the Chamber that it has uploaded the originals of the two laws, as well as their translations, to e-Court under exhibit numbers 1D773 (Constitutional Law on Implementation of the SFRY Constitution) and 1D774 (Constitutional Law on Implementation of the Serbian Constitution), and seeks their admission.⁵

5. Also on 14 August 2007, the Chamber, having been informed that there were no translations for any of the laws on implementation of different constitutions, requested that the Law on Implementation of the Constitution of the Socialist Republic of Serbia (SRS), be translated as

¹ Motion, paras. 1–2.

² Motion, para. 3.

³ Motion, para. 4.

⁴ T. 13590 (14 August 2007).

⁵ Motion, paras. 5–6.

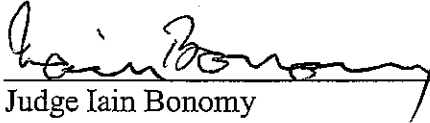
well.⁶ The Milutinović Defence now informs the Chamber that this law has already been translated, together with the SRS Constitution, under the exhibit number P1848.⁷ Accordingly, no action is now required with respect to this document.

6. None of the other Defence Counsel, or the Prosecution, have responded to this Motion.

7. Accordingly, having considered the arguments put forward by the Milutinović Defence, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motion and ORDERS as follows:

- (a) The translations of exhibits 1D614, 1D615, 1D750, and 1D751 shall be uploaded to e-Court, and thereupon shall be deemed admitted into evidence.
- (b) The status of 1D63 shall be changed from MFI-ed to admitted as the English version of the document is already a part of the original version of the document.
- (c) The translation of 1D744 shall be replaced with the official CLSS translation of the same document, and thereafter shall be deemed admitted into evidence.
- (d) Exhibits 1D773 and 1D774, including 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 December 2007
At The Hague
The Netherlands

[Seal of the Tribunal]

⁶ T. 13590 (14 August 2007).

⁷ Motion, paras. 5–6.