



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: 4 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

Decision of: 4 March 2008

PROSECUTOR

v.

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

PUBLIC

DECISION ON LUKIĆ FIFTH MOTION TO AMEND RULE 65 TER EXHIBIT LIST

Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

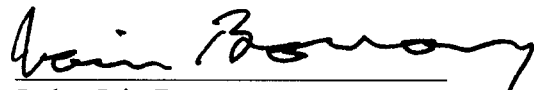
Counsel for the Accused

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 “Sreten Lukic’s Fifth Motion to Amend Rule 65 *ter* Exhibit List with Annex A,” filed 4 March 2008 (“Motion”), and hereby issues this decision thereon.

1. In the Motion, the Lukić Defence seeks to add two documents to its Rule 65 *ter* exhibit list¹ on the basis that they were found and discovered to be relevant and essential during the preparation of witnesses to be called by the Lukić Defence. The Defence emphasises that the documents are relevant to the trial, indispensable for the presentation of the defence case, and that their addition to the list would serve the interests of justice.
2. The Prosecution has indicated that it does not intend to respond to the Motion.
3. The Chamber notes that the documents are currently pending translation. The Lukić Defence is reminded that it must submit English translations of these documents for them to be tendered as evidence in the case.
4. Accordingly, the Trial Chamber, pursuant to Rules 54 and 65 *ter* of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motion.

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



Judge Iain Bony
Presiding

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

[Seal of the Tribunal]

¹ See confidential Sreten Lukić’s Defence Rule 65*ter* Submission – Annex B “Exhibit List”, 15 June 2007; see also Decision on Lukić First Motion to Amend Rule 65 *ter* Exhibit List, 31 January 2008; Decision on Lukić Second Motion to Amend Rule 65 *ter* Exhibit List, 8 February 2008; Decision on Lukić Third Motion to Amend Rule 65 *ter* Exhibit List, 15 February 2008; Oral ruling on Lukić Fourth Motion to Amend Rule 65 *ter* Exhibit List, T. 23301–23302 (27 February 2008).