



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: 17 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: 17 March 2008

PROSECUTOR

v.

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

PUBLIC

ORDER RE EXHIBIT 6D586 AND DOCUMENTS REFERENCED THEREIN

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”) hereby issues this order on the admission of the documents referred to within exhibit 6D586, which were tendered by the Lukić Defence on 29 February 2008.

1. On 29 February 2008, the Lukić Defence tendered 6D586 through the witness Danica Marinković. A previous statement from the witness, exhibit 6D1495, was also admitted on 29 February 2008, under Rule 92 *ter*. Exhibit 6D586 was distinguished from that original statement on the basis that the original statement relates to on-site investigations conducted personally by the witness, whereas exhibit 6D586 comprises an overview of all the cases in which she acted as an investigating judge, where an indictment was brought, and first and second instance judgements rendered.¹ Both 6D1495 and 6D586 were admitted under Rule 92 *ter*.

2. The Prosecution queried whether documents referenced within exhibit 6D586 were to be admitted as part and parcel of that exhibit, or if they had to be individually tendered.² In doing so, the Prosecution highlighted that a number of documents referenced in exhibit 6D586 overlap with those referred to in exhibit 6D1495, and have already been admitted.³

3. The Chamber notes the documents referred to within 6D586 that have previously been admitted are exhibits 6D12, 6D587, 6D589, 6D591, 6D592, 6D625, 6D1500, 6D1501, 6D1502, 6D1503, 6D1504, 6D1505, 6D1506, 6D1507, 6D1508, 6D1509, 6D1510, 6D1511, 6D1512, 6D1513, 6D1514, 6D1515, 6D1516, 6D1517, 6D1518, 6D1519, 6D1520, 6D1521, 6D1522, 6D1523, 6D1524, 6D1525, 6D1526, and 6D1527. Additionally, document 6D590, referred to therein, has been marked for identification.

4. The Chamber notes that four documents—6D593, 6D597, 6D601, and P3108—which are described in exhibit 6D586, have been uploaded to eCourt, but are as yet unadmitted. The witness described these documents in 6D586, and they shall be admitted, along with their translations, in the absence of any objection within seven days.

5. There are a number of documents referred to in exhibit 6D586 that have not been uploaded to eCourt in this case, or, if they have been uploaded to eCourt, are not identifiable on the basis of their descriptions in 6D586. Therefore, the Chamber hereby informs the Lukić Defence that any

¹ T. 23509–23512 (29 February 2008).

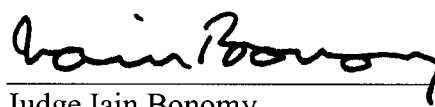
² T. 23513–23514 (29 February 2008).

³ T. 23511 (29 February 2008).

further application for the admission of these documents can only be considered upon their uploading to eCourt and the provision of a list identifying these documents by their eCourt numbers.

6. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby ORDERS that the following documents, along with their translations, shall be admitted into evidence in accordance with the terms of this order: 6D593, 6D597, 6D601, and P3108.

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


Judge Iain Bonomy
Presiding

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

[Seal of the Tribunal]