



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: 6 June 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:** 6 June 2008

**PROSECUTOR**

v.

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

**PUBLIC**

**ORDER RE EXHIBITS P949, P1493, P1505, P2804, P3134, AND P3141**

**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 (1) the “Prosecution Motion Regarding Exhibit P 2804” (“First Motion”), (2) the “Prosecution Motion Regarding Exhibit P 949” (“Second Motion”), and (3) the “Prosecution Motion Regarding Exhibit P 3141” (“Third Motion”), all filed on 23 May 2008; (4) the “Prosecution Motion Regarding Exhibit P 1493 with Annex A”, filed on 29 May 2008 (“Fourth Motion”), (5) the “Prosecution Motion Regarding Exhibit P 1505”, filed on 30 May 2008 (“Fifth Motion”), and (6) the “Prosecution Motion Regarding Exhibit P 3134”, filed on 3 June 2008 (“Sixth Motion”)—(collectively “Motions”)—and hereby issues this order thereon.

1. On 23 March 2007, exhibit **P2804** (Dispatch by MUP Staff of Kosovo, regarding the defence of villages by newly formed reserve police formations) was admitted into evidence.<sup>1</sup> On 29 April 2008, the Lukić Defence requested that the document be resubmitted to the Conference Language and Services Section (“CLSS”) for a revised translation, in light of an apparent omission. On 13 May 2008, the Trial Chamber granted the motion and ordered the Prosecution to resubmit P2804 to CLSS for a revision. In the First Motion, the Prosecution informs that the revised translation has now been received from CLSS and uploaded to eCourt as Document ID K053-4105-ET. Further, the Prosecution requests that exhibit P2804 be admitted into evidence in place of the prior version.

2. On 21 April 2008, the Trial Chamber brought to the attention of the parties that there was an apparent translation error on eCourt page 109 of exhibit **P949** (Interview of Nebojša Pavković with the Office of the Prosecutor). Upon further checking, the Prosecution noted one additional error. On 21 May 2008, the Prosecution raised the matter in court and submitted the document to CLSS for a revised translation. In the Second Motion, the Prosecution informs that the revised translation has now been received and uploaded to eCourt as Document ID P00949-Page 109-CLSS. Further, the Prosecution requests that the aforementioned new page 109 of exhibit P949 be substituted for the previous page and admitted into evidence.

3. On 9 May 2008, the Prosecution requested that exhibit **P3141** (Birth Certificate and Certificate of Citizenship of Sadiku, Sadije born 1 July 1978 in Kosovska Mitrovica, Kosovo) be admitted into evidence. On 16 May 2008, the Lukić Defence noted an error in the English translation of the aforementioned document. On 21 May 2008, the exhibit was admitted into

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<sup>1</sup> Decision on Prosecution Motion for Admission of Evidence in Connection with Philip Coo, 3 March 2007.

evidence, yet the Trial Chamber directed the Prosecution to resubmit it to CLSS for corrective action, noting the error in translation. In the Third Motion, the Prosecution informs that the revised translation has now been received and uploaded to eCourt as Document ID K054-3776-ET-revised. Further, the Prosecution requests that P3141 as revised be admitted into evidence.

4. On 20 March 2007, exhibit **P1493** (Instruction on use of military police) was admitted into evidence pursuant to an oral decision.<sup>2</sup> The Prosecution recently noted that page 2 of the aforementioned document is missing from eCourt. In the Fourth Motion, the Prosecution seeks leave to upload into eCourt the additional page and further requests that it be admitted into evidence.

5. On 9 April 2008, the Trial Chamber directed the Prosecution to submit exhibit **P1505** (Decision to establish a Ministerial Staff for the suppression of terrorism) to CLSS for a revised translation. In the Fifth Motion, the Prosecution informs that the revised translation of the aforementioned document has now been received and marked as Document ID K022-9694-ET. Further, the Prosecution requests that this new translation be substituted in eCourt for the previous version and admitted into evidence.

6. On 2 April 2007, the Prosecution tendered exhibit **P3134** (witness statement of Božidar Protić, dated 27 September 2002). At the time, there was only an unofficial English translation of the aforementioned document, which was marked for identification, pending official translation from CLSS. In the Sixth Motion, the Prosecution informs that it recently received an official translation of this exhibit, marked as Document ID K054-3768-ET. Further, the Prosecution requests leave to replace the unofficial English translation with the new CLSS version in eCourt. Additionally, it requests that P3134 now be marked as admitted into evidence.

7. The Chamber ordered that any responses be filed by no later than 5 June 2008. No responses have been received.<sup>3</sup>

8. 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 as follows:

- a. The revised translation of exhibit P2804 shall replace the prior version and shall be admitted into evidence.

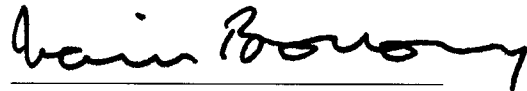
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<sup>2</sup> T. 12021.

<sup>3</sup> Order Setting Time Limit for Responses to Outstanding Exhibit Motions, 2 June 2008.

- b. The revised translation of page 109 of exhibit P949 shall replace the prior version and shall be admitted into evidence.
- c. The revised translation of exhibit P3141 shall replace the prior version and shall be admitted into evidence.
- d. The Prosecution is granted leave to upload the missing page of exhibit P1493, which shall be admitted into evidence.
- e. The revised translation of exhibit P1505 shall replace the prior version and shall be admitted into evidence.
- f. The revised, official translation of exhibit P3134 shall replace the prior version, and exhibit P3134, along with its revised translation, shall be admitted into evidence.

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



Judge Iain Bony  
Presiding

Dated this sixth day of June 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**