



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-AR65.3  
Date: 14 December 2007  
Original: English

**THE PRESIDENT OF THE TRIBUNAL**

**Before:** Judge Fausto Pocar, President  
**Registrar:** Mr. Hans Holthuis  
**Order of:** 14 December 2007

**PROSECUTOR**

v.

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

*PUBLIC*

**ORDER**

**The 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 Alekšić 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

PL

I, **FAUSTO POCAR**, President 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"),

**NOTING** "Pavković Appeal Pursuant to Rule 116 *bis* against the Decision on Pavković Motion for Temporary Provisional Release, dated 12 December 2007" ("Appeal") filed on 13 December 2007;

**CONSIDERING** Article 14 of the Tribunal's Statute as well as Rule 19(A), Rule 28(C), (D), (E), and (F), and Rule 65(D) of the Tribunal's Rules of Procedure and Evidence;

**CONSIDERING** that the Appeal was delivered to the Appeals Chamber only today, 14 December 2007;

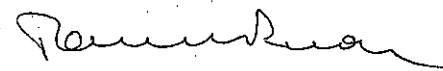
**CONSIDERING** therefore that no bench of the Appeals Chamber can be constituted to consider the Appeal before the beginning of the Tribunal's recess;

**CONSIDERING** that the Appeal requests that Nebojša Pavković be provisionally released on "compassionate grounds" during the Tribunal's recess;

**REQUESTS** the Registry to transmit the Appeal to the Duty Judge, in order for him to consider whether the matter falls under his prerogatives.

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

Done this 14th day of December 2007,  
At The Hague,  
The Netherlands.

  
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Judge Fausto Pocar  
President

[Seal of the Tribunal]