



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: 1 March 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:** 1 March 2007

**PROSECUTOR**

v.

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

**DECISION ON PROSECUTION REQUEST FOR SUBSTITUTION OF  
REDACTED RULE 70 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

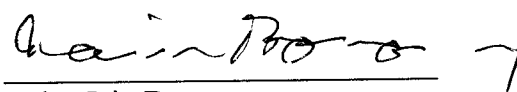
**THIS TRIAL CHAMBER** of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Tribunal”) is seised of the “Prosecution’s Confidential Request for Substitution of Redacted Rule 70 Exhibits,” filed 23 February 2007 (“Request”), requesting permission to substitute redacted versions for unredacted versions of exhibits P00684, P00685, P00686, P00687, and P00688, and hereby renders its decision thereon.

1. The Trial Chamber has been informed by the Prosecution that the aforementioned exhibits were tendered in an unredacted form, contrary to the requirements of the Rule 70 provider. The Prosecution seeks leave to substitute these old tendered versions with new redacted ones for the benefit of public disclosure.

2. The Trial Chamber notes that, although the Prosecution has already removed the old versions from eCourt and replaced them with new versions, they are nevertheless now seeking leave to do so after the fact. The Prosecution had no authority to make this substitution without prior leave of the Chamber, and should have requested such leave in advance of doing so. Moreover, the Chamber reminds the Prosecution to tender proper versions of exhibits in the first instance, in order to avoid matters such as these from occurring and thus requiring the unnecessary expenditure of resources on the part of the parties and the Chamber.

3. Pursuant to Rules 70 and 89(C) of the Rules of Procedure and Evidence of the Tribunal, the Chamber, in the interests of judicial economy, hereby GRANTS leave, *ex post facto*, for the requested substitution and CONFIRMS that the following documents are admitted into evidence in their current redacted form: P00684, P00685, P00686, P00687, and P00688.

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

  
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Judge Iain Bonomy  
Presiding

Dated this first day of March 2007  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**