



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: 31 January 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:** 31 January 2008

**PROSECUTOR**

v.

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

**PUBLIC**

**DECISION ON LUKIĆ FIRST MOTION TO AMEND RULE 65 TER EXHIBIT LIST**

**Office of the Prosecutor**

Mr. Thomas Hannis  
Mr. Chester Stamp

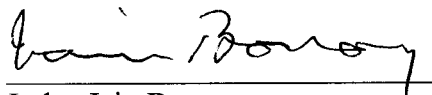
**Counsel for the Accused**

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 First Motion to Amend Rule 65 *ter* Exhibit List with Annex A,” filed 23 January 2008 (“Motion”), and hereby issues this decision thereon.

1. In the Motion, the Lukić Defence seeks to add documents to its Rule 65 *ter* exhibit list<sup>1</sup> on the following bases: (a) some of the documents were produced by the Government of the Republic of Serbia after the initial exhibit list was submitted, and (b) some were found and discovered to be relevant and essential during the preparation of witnesses to be called by the Lukić Defence. The Lukić Defence argues that the documents are relevant to the trial, that they are 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 oppose the Motion.
3. The Chamber notes that approximately half of 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.

  
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Judge Iain Bonomy  
Presiding

Dated this thirty-first day of January 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

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<sup>1</sup> See confidential Sreten Lukic’s Defence Rule 65*ter* Submission – Annex B “Exhibit List”, 15 June 2007.