



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: 20 July 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: 20 July 2007

PROSECUTOR

v.

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

PUBLIC

**ORDER TO RESPOND TO PROSECUTION NOTICE
PURSUANT TO RULE 94 *BIS* (B)**

Office of the Prosecutor

Mr. Thomas Hannis
Mr. Chester Stamp

Counsel for the Accused

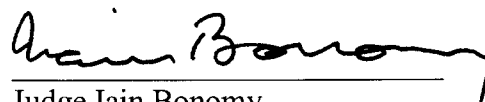
Mr. Eugene O'Sullivan and Mr. Slobodan Zečević for Mr. Milan Milutinović
Mr. Toma Fila and Mr. Vladimir Petrović for Mr. Nikola Šainović
Mr. Tomislav Višnjić and Mr. Norman Sepenuk for Mr. Dragoljub Ojdanić
Mr. John Ackerman and Mr. Aleksandar Aleksić for Mr. Nebojša Pavković
Mr. Mihajlo Bakrač and Mr. 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”) issues this order *ex proprio motu* with regard to the Notices Pursuant to Rule 94 *bis* (B), filed by the Office of the Prosecutor (“Prosecution”) on 11 July 2007.

1. In its Notices Pursuant to Rule 94 *bis* (B), the Prosecution challenges, *inter alia*, the qualifications of the proposed Defence expert witness Professor Ratko Marković, and objects to the admission of his proposed expert report, which was provided by the Defence for Milan Milutinović on 15 June 2007.

2. Considering that the case for the accused Milan Milutinović is scheduled to begin on 6 August 2007, and Professor Marković is expected to be the first witness called, it is necessary for the Trial Chamber to determine whether or not he may testify as an expert and whether his report may be admitted in whole or in part, as quickly as possible. Further submissions from the Defence for Milan Milutinović would be of assistance to the Chamber in this regard. Accordingly, the Trial Chamber hereby **ORDERS**, pursuant to Rule 54 of the Rules of Procedure and Evidence of the Tribunal, the Defence for Milan Milutinović to file a response to the Prosecution Notices Pursuant to Rule 94 *bis* (B), insofar as the Notices relate to Professor Ratko Marković, by 27 July 2007.

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



Judge Iain Bonomy
Presiding

Dated this twentieth day of July 2007
At The Hague
The Netherlands

[Seal of the Tribunal]