



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: 17 October 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

**Order of:** 17 October 2007

**PROSECUTOR**

v.

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

**PUBLIC**

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**ORDER REGARDING EXHIBITS 1D430, 1D444, 1D447, AND 1D290**

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**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 “Joint Response to ‘Order on Joint Prosecution and Defence Notification Regarding Translation of Exhibits Admitted into Evidence by Agreement’ of 21 September 2007”, filed 5 October 2007 (“Joint Response”), and issues this order in relation thereto.

1. On 21 September 2007, the Chamber denied admission into evidence of exhibits 1D430, 1D444, 1D447, and 1D290 and instructed the parties to reapply for their admission in the event that they could make an adequate showing of their relevance.<sup>1</sup> In the Joint Response, the Prosecution and the Defence inform the Chamber of the relevance and probative value of these exhibits.

2. With respect to exhibits 1D430, 1D444, and 1D447, the parties explain that these are relevant to the issues in the case and relate to a number of Prosecution exhibits already in evidence, namely, P866, P886, P896, and P899. Both the earlier admitted Prosecution exhibits and the Defence exhibits now sought to be admitted deal with removal and reappointment of public functionaries, the former in the period of 1990 and 1991 and the latter in 1998 and 1999. According to the parties, 1D430, 1D444, and 1D447 are thus relevant to the determination of the issue of whether removals and appointments were a regular function of the Serbian Government and whether they were exercised in a discriminatory manner or not.<sup>2</sup>

3. With respect to exhibit 1D290, the parties explain that this is a Federal Decree Amending the Decree on Organising and Requisitioning Resources, issued on 25 April 1999. This document, according to the parties, is relevant to the issue of seizure of items during the conflict in Kosovo and is thus relevant to the case. In addition, the document supplements the evidence of witnesses Lakić Đorović and Milan Uzelac, who testified about confiscations of vehicles in Kosovo during the time relevant to the Indictment period.<sup>3</sup>

4. Having carefully reviewed the exhibits, the Chamber is satisfied as to their relevance and probative value and considers that they should be admitted into evidence.

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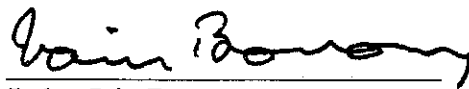
<sup>1</sup> Order on Joint Prosecution and Defence Notification Regarding Translation of Exhibits Admitted Into Evidence by Agreement, 21 September 2007, para. 5.

<sup>2</sup> Joint Response, para. 2.

<sup>3</sup> Joint Response, para. 3.

5. Accordingly, the Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby ORDERS that exhibits 1D430, 1D444, 1D447, and 1D290 (and their translations) shall be admitted into evidence.

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



Judge Iain Bonomy  
Presiding

Dated this seventeenth day of October 2007  
At The Hague  
The Netherlands

[Seal of the Tribunal]