



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 February 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

Order of: 1 February 2008

PROSECUTOR

v.

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

PUBLIC

**ORDER ON LAZAREVIĆ DEFENCE NOTICE RE DOCUMENTS
MARKED FOR IDENTIFICATION PENDING TRANSLATION**

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 motion entitled, “Lazarević Defence Notice Regarding MFI Documents”, filed on 18 January 2008 (“Motion”), and hereby renders this Order thereon.

1. In its Motion, the Lazarević Defence notifies the Chamber that outstanding translations of 5D199, 5D208, 5D215, 5D319, 5D666, 5D670, 5D675, 5D687, 5D690, 5D910, 5D911, 5D922, 5D1019, 5D1097, 5D1098, 5D1209, 5D1221, 5D1275, 5D1306, 5D1323, 5D1324, 5D1326, 5D1335, 5D1363, and 5D1370, exhibits which have previously been marked for identification, have now been received and uploaded to eCourt. It thus requests the admission of these documents along with their translations.¹

2. On 27 November 2007, 5D690 was admitted into evidence despite concerns regarding the completeness of its translation.² The Lazarević Defence seeks to have another translation admitted, and yet remains silent as to what should be done with the original translation. The Chamber notes that the purported new translation of 5D690 seems to be identical to the previous, incomplete translation and that the table on the second page remains untranslated.

3. The Chamber notes also that the exhibit designated 5D1363 appears to have two identical versions of the original document.³

4. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motion and ORDERS as follows:

- (a) 5D199, 5D208, 5D215, 5D319, 5D666, 5D670, 5D675, 5D687, 5D910, 5D911, 5D922, 5D1019, 5D1097, 5D1098, 5D1209, 5D1221, 5D1275, 5D1306, 5D1323, 5D1324, 5D1326, 5D1335, and 5D1370 shall be admitted into evidence, along with their translations.
- (b) The Lazarević Defence shall, in a written filing within seven days of the date of this Order, clarify its position in relation to 5D1363 and remove any superfluous versions from eCourt.

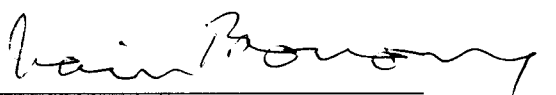
¹ Motion, paras. 1–3.

² T. 19156–19157 (27 November 2007).

³ Document numbers 5D00-6336 and 5D00-7119.

- (c) The Lazarević Defence shall, in a written filing within seven days of the date of this Order, clarify its position in relation to 5D690, including informing the Chamber and the parties whether a revised translation should be uploaded to eCourt.

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



Judge Iain Bony
Presiding

Dated this first day of February 2008
At The Hague
The Netherlands

[Seal of the Tribunal]