



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: 16 April 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: 16 April 2008

PROSECUTOR

v.

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

PUBLIC

ORDER RE EXHIBIT 6D978

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 Request Regarding Exhibits 6D978 and 6D 1098”, filed by the Lukić Defence on 1 April 2008 (“Motion”), and the “Prosecution Response to Sreten Lukić’s Request Regarding Exhibit 6D 978”, filed on 14 April 2008 (“Response”), and hereby issues this order thereon.

1. The Trial Chamber notes that it disposed of the portion of the Motion pertaining to 6D1098 in its “Order re Exhibit 6D1098,” issued on 3 April 2008.
2. On 12 February 2008, during the direct examination of witness Miroslav Mijatović, exhibit 6D978 was marked for identification pending translation. In the Motion, the Lukić Defence informs the Chamber and the parties that a translation for exhibit 6D978 is available and has been uploaded to eCourt.¹ In addition, the Defence requests that the exhibit and its translation be admitted into evidence.
3. In the Response, the Prosecution objects to the admission of exhibit 6D978 on the basis that it is dated December 1999, and therefore does not seem pertinent to the relevant time period covered by the Indictment and thus lacks probative value.
4. The document is signed by Vlastimir Đodjević and contains his instructions to the Secretariats of Interior of the MUP, including instructions to provide reports for the entire period of 1999. The document is also referenced in the Rule 92 *ter* statement of Miroslav Mijatović—exhibit 6D1492 at paragraph 57—wherein he states that the document relates to the annual reporting of the MUP and that it can be understood from the document that the secretariats did not have obligations to report to the MUP Staff in Kosovo, but rather to the Ministry of Interior. As such, the Chamber considers that the document is relevant, has probative value, and is reliable.

¹ Doc-ID 6D20-1362.

5. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby GRANTS the Motion, in part, and ORDERS that exhibit 6D978 along with its translation shall be admitted into evidence.

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



Judge Iain Bonomy
Presiding

Dated this sixteenth day of April 2008
At The Hague
The Netherlands

[Seal of the Tribunal]