



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: 25 June 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: 25 June 2008

PROSECUTOR

v.

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

PUBLIC

ORDER

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”),

NOTING the confidential “Summons Pursuant to Rules 54 and 98,” issued by the Trial Chamber on 13 May 2008 (“First Summons”), ordering **Mr. Aleksandar Dimitrijević** to appear and testify before the Tribunal in the above-captioned matter, and the “Order to the Government of the Republic of Serbia,” also issued on 13 May 2008 (“Order”), requiring service of the First Summons on Mr. Dimitrijević,

NOTING that the First Summons ordered the appearance of Mr. Dimitrijević as a witness before this Trial Chamber in the case of *Prosecutor v. Milutinović et al.*, on Friday, 23 May 2008, *or on other dates as may be communicated to him*,

NOTING that the First Summons was not served on Mr. Dimitrijević, as required by the terms of the Order,

NOTING that the President of the Tribunal sent a letter to the United Nations Security Council on 17 June 2008, reporting a breach of Article 29 of the Tribunal’s Statute by the Republic of Serbia,

NOTING that the Republic of Serbia has made public statements affirming its readiness to fully cooperate with the Tribunal and to do everything to ensure the attendance of Mr. Dimitrijević as a witness in these proceedings,

CONSIDERING that the Trial Chamber has today issued a further Summons and Order for the attendance of Mr. Dimitrijević on 8 July 2008,

NOTING that the parties’ final briefs are due on 8 July 2008, and that closing arguments are scheduled to commence on 22 July 2008,

CONSIDERING that the question of whether the steps taken by the Trial Chamber to secure the attendance of Mr. Dimitrijević as a witness require the Chamber to alter the schedule for the remainder of the trial can only be answered in light of all the circumstances pertaining between now and 8 July 2008,

CONSIDERING that the Trial Chamber expects the parties to comply with the existing schedule unless that is varied by a later order,

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence of the Tribunal, **HEREBY AFFIRMS** the schedule set out in the Order on Procedure for Close of Proceedings, issued on 2 May 2008.

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

Judge Iain Bony
Presiding

Dated this twenty-fifth day of June 2008
At The Hague
Netherlands

[Seal of the Tribunal]