



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: 29 July 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: 29 July 2008

PROSECUTOR

v.

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

PUBLIC

ORDER RE EXHIBIT 5D1396

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

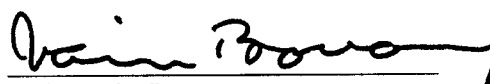
THIS TRIAL CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Tribunal”) is seised of the “Defence Notice Regarding Exhibit 5D 1396,” filed by the Lazarević Defence on 11 July 2008 (“Motion”), and hereby issues this order thereon.

1. On 25 January 2008, exhibit 5D1396 (witness statement of Sergej Perović, dated 8 January 2008), was admitted into evidence. On the same day, during the examination of Perović, the Lazarević Defence informed the Chamber and the parties that there was a typing mistake in paragraph 10 of 5D1396, and that in paragraph 11 of the same document, the numbers of three exhibits were omitted. The Chamber issued an oral ruling, ordering the Lazarević Defence to file the supplementary material under the exhibit number 5D1396.¹ It later came to the attention of the Chamber that the Lazarević Defence never filed that supplementary material, and the Chamber therefore asked it to comply with the oral ruling of 25 January 2008.

2. In the Motion, the Lazarević Defence states that it provided the Chamber and the parties with a Supplementary Information Sheet on 24 January 2008 via email, which was uploaded to eCourt on 25 January 2008. However, a supplementary filing was not made, as had been requested by the Chamber. The Lazarević Defence now requests that the Supplementary Information Sheet for Sergej Perović be admitted into evidence as a part of 5D1396. The Prosecution has indicated that it does not intend to respond to the Motion.

3. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby ORDERS that the Supplementary Information Sheet for Sergej Perović (Document ID 5D00-8677 and 5D00-8678) shall be admitted into evidence as a part of exhibit 5D1396.

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


Judge Iain Bonomy
Presiding

Dated this twenty-ninth day of July 2008
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ T. 21079 (25 January 2008).