

**UNITED
NATIONS**

International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-05-87-A
Date: 28 January 2013

IN THE APPEALS CHAMBER

Before: Judge Liu Daqun, Presiding
Judge Mehmet Güney
Judge Fausto Pocar
Judge Arlette Ramaroson
Judge Bakhtiyar Tuzmukhamedov

Registrar: Mr. John Hocking

THE PROSECUTOR

v.

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

PUBLIC

**NOTICE OF WITHDRAWAL OF PROSECUTION'S APPEAL
AGAINST THE JUDGEMENT OF TRIAL CHAMBER III
DATED 26 FEBRUARY 2009 IN RELATION TO THE
ACCUSED DRAGOLJUB OJDANIĆ**

The Office of the Prosecutor:

Mr. Serge Brammertz
Mr. Peter Kremer, QC

Counsel for the Appellant:

Mr. Tom Fila and Mr. Vladimir Petrović for Nikola Šainović
Mr. Tomislav Višnjić and Mr. Peter Robinson for Dragoljub Ojdanić
Mr. John Ackerman and Mr. Aleksander Aleksić for Nebojša Pavković
Mr. Mihaljo Bakrač and Mr. Đuro Čepić for Vladimir Lazarević
Mr. Branko Lukić and Mr. Dragan Ivetić for Sreten Lukić

Case No. IT-05-87-A

THE PROSECUTOR

v.

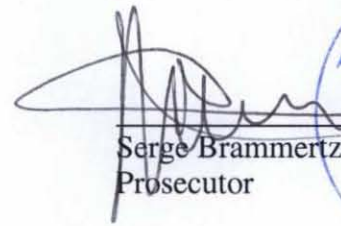
**NIKOLA ŠAINOVIĆ
DRAGOLJUB OJDANIĆ
NEBOJŠA PAVKOVIĆ
VLADIMIR LAZAREVIĆ
SRETEN LUKIĆ**


PUBLIC

**NOTICE OF WITHDRAWAL OF PROSECUTION'S APPEAL AGAINST
THE JUDGEMENT OF TRIAL CHAMBER III DATED 26 FEBRUARY 2009
IN RELATION TO THE ACCUSED DRAGOLJUB OJDANIĆ**

1. The Prosecution takes note of Dragoljub Ojdanić's withdrawal of his appeal¹ against the Judgement of Trial Chamber III dated 26 February 2009.² In particular, the Prosecution notes Ojdanić's full acceptance of the findings in the Judgement as to his conduct, conviction and sentence, as well as his expression of regret for the suffering endured by the victims as a result of the conduct for which he has been convicted.³
2. The Prosecution also notes Ojdanić's current medical condition.⁴
3. Based on the above considerations, the Prosecution hereby withdraws its appeal against the Judgement insofar as it concerns the Accused Dragoljub Ojdanić.⁵

Word Count: 226


Serge Brammertz
Prosecutor



Dated this 28th day of January 2013
At The Hague, The Netherlands

¹ *Prosecutor v. Nikola Šainović et al.*, Case No.IT-05-87-A, Notice of Withdrawal of Dragoljub Ojdanić's Appeal against the Judgement of Trial Chamber III Dated 26 February 2009 (Public with Public and Confidential Annexes), 28 January 2013 ("Ojdanić Notice").

² *Prosecutor v. Milan Milutinović et al.*, Case No.IT-05-87-T, Judgement, 26 February 2009 ("Judgement").

³ Ojdanić Notice, Annex A.

⁴ Ojdanić Notice, Confidential Annex B.

⁵ *Prosecutor v. Nikola Šainović et al.*, Case No.IT-05-87-A, Prosecution Notice of Appeal, 27 May 2009, Ground 1 (in relation to Ojdanić), Ground 2 (in relation to Ojdanić), Ground 5 (in relation to Ojdanić) and Ground 6 (in relation to Ojdanić).