



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: 13 May 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: 13 May 2008

PROSECUTOR

v.

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

PUBLIC

ORDER RE EXHIBITS P984 AND IC133 – LAW ON ARMY OF YUGOSLAVIA

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

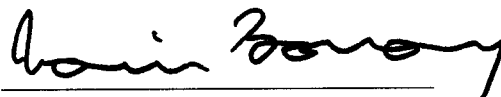
THIS TRIAL CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“Tribunal”) is seised of “Mr. Milan Milutinović’s Submission on Article 4 of the Exhibit P984 the Law on the Army of Yugoslavia and Request for Admission into Evidence of Exhibit IC133,” filed on 15 April 2008 (“Motion”), requesting the admission of IC133 into evidence, and hereby renders this order in relation thereto.

1. During the evidence of Ratko Marković, an issue arose regarding the legal interpretation of Article 4 of the Law on VJ and whether it consisted of two or three paragraphs in total. The Official Gazette version of the law consisted of two paragraphs, whereas the version on the Ministry of Defence website consisted of three paragraphs. The Milutinović Defence undertook to investigate the matter and to obtain an “official explanation.” Specifically, the Prosecution was interested to learn how this Article went from being two paragraphs in the Official Gazette to three paragraphs on the website.¹
2. In the Motion, the Milutinović Defence provides the official position of the Office of the National Council for Cooperation with the International Criminal Tribunal for the former Yugoslavia (“NCC”), adopting the position of the Ministry of Defence, that “while this law was in force, [it] consisted of three paragraphs.” However, the Milutinović Defence has not yet provided a full explanation of why, how, and when this Article was changed from two to three paragraphs, and by whom.
3. The Prosecution has indicated that it does not intend to respond to the Motion.
4. The Chamber considers that it would be assisted by further information in relation to this matter.

¹ T. 13039–13044 (7 August 2007), 13069–13071 (8 August 2007).

5. Accordingly, the Trial Chamber, pursuant to Rules 54 and 89 of the Rules of Procedure and Evidence of the Tribunal, hereby INVITES that Milutinović Defence, by no later than Wednesday, 21 May 2008, to furnish the Chamber and the parties with any additional information that may be of assistance to the Chamber.

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



Judge Iain Bony
Presiding

Dated this thirteenth day of May 2008
At The Hague
The Netherlands

[Seal of the Tribunal]