

**UNITED  
NATIONS**



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-98-32/1-A  
Date: 26 June 2012  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Mehmet Güney, Presiding  
Judge Carmel Agius  
Judge Fausto Pocar  
Judge Liu Daqun  
Judge Howard Morrison

**Registrar:** Mr. John Hocking

**Order of:** 26 June 2012

**PROSECUTOR**

v.

**MILAN LUKIĆ  
SREDOJE LUKIĆ**

**ORDER FOR TRANSLATION  
*PUBLIC***

**The Office of the Prosecutor:**

Mr. Peter Kremer

**Counsel for Milan Lukić:**

Mr. Tomislav Višnjić  
Mr. Dragan Ivetić

**Counsel for Sredoje Lukić:**

Mr. Đuro Čepić  
Mr. Jens Dieckmann

**THE APPEALS 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 (“Appeals Chamber” and “Tribunal”, respectively);

**NOTING** the Judgement rendered in the case of *Prosecutor v. Milan Lukić and Sredoje Lukić*, Case No. IT-98-32/1-T, by Trial Chamber III on 20 July 2009 (“Trial Judgement”);

**NOTING** that each of the parties has lodged an appeal against the Trial Judgement;<sup>1</sup>

**NOTING** “Milan Lukić’s [*sic*] Motion to Admit Evidence Before the Appeals Chamber”, filed confidentially by Milan Lukić (“Lukić”) on 8 February 2010 (“Motion”), wherein Lukić sought the admission of the English translation of Exhibit 1D39;<sup>2</sup>

**NOTING** that the Appeals Chamber dismissed the Motion concluding that since the Bosnian/Croatian/Serbian version of Exhibit 1D39 was already part of the trial record, the English translation of the same exhibit does not constitute “new” or “additional” evidence pursuant to Rule 115 of the Tribunal’s Rules of Procedure and Evidence (“Rules”);<sup>3</sup>

**CONSIDERING** that, in its First Rule 115 Decision, the Appeals Chamber further noted “that, if necessary for deciding the merits of Lukić’s appeal, the Appeals Chamber may at a later stage request, *proprio motu*, the Registry to provide a complete translation of Exhibit 1D39 into the working languages of the Tribunal”;<sup>4</sup>

**CONSIDERING** that the Appeals Chamber deems it necessary to request an English translation of Exhibit 1D39 to decide upon the merits of Milan Lukić’s appeal;

**PURSUANT** to Rules 54 and 107 of the Rules,

**INSTRUCTS** the Registry to provide a certified English translation of Exhibit 1D39 no later than 20 July 2012.

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<sup>1</sup> Notice of Appeal on Behalf of Sredoje Lukić, 19 August 2009; Prosecution Notice of Appeal, 19 August 2009; Milan Lukić’s [*sic*] Amended Notice of Appeal, 26 November 2009 (filed by Counsel for Lukić as Annex 1 to Milan Lukić’s [*sic*] Motion to Vary his Notice of Appeal, 26 November 2009). *See also* Decision on Milan Lukić’s Motion to Amend his Notice of Appeal, 16 December 2009.


<sup>2</sup> Motion, paras. 1, 18.

<sup>3</sup> Decision on Milan Lukić’s First Motion to Admit Additional Evidence on Appeal, 6 July 2011 (“First Rule 115 Decision”), pp. 1-2.

<sup>4</sup> First Rule 115 Decision, p. 2.

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

Done this 26th day of June 2012,  
At The Hague,  
The Netherlands.



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Judge Mehmet Güney,  
Presiding

[Seal of the Tribunal]