

ANNEX 2 to

**Selimi Defence Appeal against the Decision on Prosecution Motion for
Admission of Accused's Statements with Confidential Annex 1 and
Public Annex 2**

Public

IT-05-87-T
D20474-D20472
25 JUNE 2008

20474
AT

**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-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

Summons of: 25 June 2008

PROSECUTOR

v.

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

PUBLIC

SUMMONS PURSUANT TO RULES 54 AND 98

To: Mr. Aleksandar Dimitrijević

Address: [REDACTED]

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"), *ex proprio motu*, issues this Summons to you, Mr. Aleksandar Dimitrijević.

1. On 18 April 2008, the Presiding Judge of the Chamber, on behalf of the full Chamber, sent you a letter inviting you to give evidence in the above-captioned matter. Thus far, there has not been a response to that letter, a copy of which is attached to this Summons.

2. The Chamber notes Rules 54 and 98 of the Rules of Procedure and Evidence of the Tribunal, which provide as follows:

Rule 54
General Rule

At the request of either party or *proprio motu*, a Judge or a Trial Chamber may issue such orders, summonses, subpoenas, warrants and transfer orders as may be necessary for the purposes of an investigation or for the preparation or conduct of the trial.

Rule 98
Power of Chambers to Order Production of Additional Evidence

A Trial Chamber may order either party to produce additional evidence. It may *proprio motu* summon witnesses and order their attendance.

These Rules empower the Chamber to compel individuals to appear before the Tribunal to give evidence in cases before it. Moreover, the Chamber considers that there is a reasonable basis that you are likely to give information that will materially assist the Chamber with respect to issues in the trial and that this information cannot be obtained through other means.¹

3. Accordingly, the Trial Chamber, pursuant to Rules 54 and 98 of the Rules of Procedure and Evidence of the Tribunal, hereby ORDERS you to appear on Tuesday, 8 July 2008, to testify before this Trial Chamber in the case of *Prosecutor v. Milutinović et al.*

4. All necessary measures will be taken by the Victim and Witness Section of the Tribunal for your travel, appearance, and accommodation, and all necessary costs incurred by virtue of your testimony shall be borne by the Tribunal. The Tribunal is located at Churchillplein 1, 2517 JW,

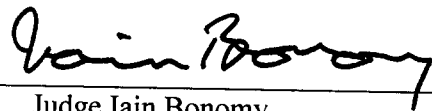
¹ *Prosecutor v. Sefer Halilović*, Case No. IT-01-48-AR73, Decision on the Issuance of Subpoenas, 21 June 2004, paras. 6–7; *Prosecutor v. Radislav Krstić*, Case No. IT-98-33A, Decision on Application for Subpoenas, 1 July 2003, para. 10; *Prosecutor v. Slobodan Milošević*, Case No. IT-02-54-T, Decision on Assigned Counsel Application for Interview and Testimony of Tony Blair and Gerhard Schröder, 9 December 2005, paras. 36–41; *see also Prosecutor v. Radoslav Brđanin and Momir Talić*, Case No. IT-99-36-AR73.9, Decision on Interlocutory Appeal, 11 December 2002, paras. 31–32.

The Hague, Netherlands, and its Belgrade Field Office is located at Jevrema Grujića 11, Belgrade, Tel.: +381 11 306 5467.

5. Representatives of the Tribunal and of the Government of the Republic of Serbia have been directed to take whatever steps reasonably necessary to ensure service of this summons and your appearance at trial.

6. **FAILURE TO COMPLY WITH THIS SUMMONS MAY SUBJECT YOU TO ARREST AND/OR CONSTITUTE CONTEMPT OF THE TRIBUNAL, PUNISHABLE BY A TERM OF IMPRISONMENT NOT EXCEEDING SEVEN YEARS, A FINE NOT EXCEEDING 100,000 EUROS, OR BOTH.**

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



Judge Iain Bonomy
Presiding

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

[Seal of the Tribunal]