

**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-96-21-T

Date: 23 June 1997

Original: English

IN THE TRIAL CHAMBER

Before: Judge Adolphus G. Karibi-Whyte, Presiding
Judge Elizabeth Odio Benito
Judge Saad Saood Jan

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 23 June 1997

PROSECUTOR

v.

ZEJNIL DELALIĆ
ZDRAVKO MUCIĆ also known as "PAVO"
HAZIM DELIĆ
ESAD LANDŽO also known as "ZENGA"

**ORDER ON ZDRAVKO MUCIĆ'S ORAL REQUEST FOR
SERBO-CROATIAN INTERPRETATION**

The Office of the Prosecutor

Mr. Eric Ostberg
Ms. Teresa McHenry

Mr. Guiliano Turone
Ms. Elles van Duschotten

Counsel for the Accused

Ms. Edina Rešidović, Mr. Ekrem Galijatović, Mr. Eugene O'Sullivan, for Zejnil Delalić
Mr. Željko Olujić, Mr. Michael Greaves, for Zdravko Mucić
Mr. Salih Karabdić, Mr. Thomas Moran, for Hazim Delić
Mr. John Ackerman, Ms. Cynthia McMurrey, for Esad Landžo

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 ("International Tribunal");

BEING SEISED on 11 June 1997 of an oral application by Defence counsel for the accused, Zdravko Mucić (the "Accused") for interpretation of the trial proceedings into the Croatian language for the benefit of the accused;

CONSIDERING that pursuant to Article 21(4)(f) of the Statute of the International Tribunal, the Accused is entitled to have the present proceedings interpreted to him in a language he understands;

CONSIDERING that all hearings, including the present proceedings, before the International Tribunal are interpreted into the Serbo-Croatian language for the benefit of accused persons and other trial participants;

NOTING that in 1995, the Language and Conference Services Unit of the International Tribunal, in anticipation of an application in the nature of the present one, consulted with two linguistic experts, Professors Wayne Brown of Cornell University and Morton Benson of the University of Pennsylvania in the United States of America ("Consultations");

NOTING that the Consultations reflected that the varieties of Serbo-Croatian are mutually intelligible to all citizens of the former Yugoslavia;

NOTING that Trial Chamber II, Judges Claude Jorda, presiding, Elizabeth Odio Benito and Fouad Riad, in the matter of *The Prosecutor v Colonel Krsmanović* (Decision Concerning Serbo-Croatian Interpretation of 29 March 1997 (IT-96-19-Misc.1)) found on the basis of the Consultations that the differences between Serbian and Croatian are small and that there was no valid reason to justify the refusal of Serbo-Croatian interpretation;

CONSIDERING that the reports of the Consultations are available with the Registrar for the inspection of Defence Counsel for the Accused;


NOTING that the Accused has never previously complained about his inability to understand and follow the proceedings;

FOR THE FOREGOING REASONS, PURSUANT TO RULE 54;

HEREBY:

1. **FINDS** that there are no grounds for believing that the accused is unable to follow and understand the proceedings.
2. **FINDS** that there has been no violation of the rights of the accused under Article 21(4)(f) of the Statute of the International Tribunal.
2. **DENIES** the application.

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



Adolphus Godwin Karibi-Whyte
Presiding Judge

Dated this twenty-third day of June 1997
At The Hague
The Netherlands

[Seal of the Tribunal]