



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-95-13a-PT
Date: 28 November 1997
Original: ENGLISH

IN THE TRIAL CHAMBER

Before: Judge Antonio Cassese, Presiding
Judge Richard May
Judge Florence Mumba

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Order of: 28 November 1997

PROSECUTOR

v.

SLAVKO DOKMANOVIĆ

**DECISION OF TRIAL CHAMBER II
CONCERNING SEPARATION OF TRIALS**

The Office of the Prosecutor:

Mr. Grant Niemann
Mr. Clint Williamson

Counsel for the Accused:

Mr. Toma Fila
Ms. Jelena Lopičić

THE TRIAL CHAMBER,

PURSUANT to the provisions of Article 21(4)(c) of the Statute and rules 72(A)(iii) and 82B of the Rules;

NOTING that Slavko Dokmanović was indicted jointly with Mile Mrksić, Miroslav Radić and Veselin Šljivančanin on 3 April 1996 in respect of certain crimes connected with the fall of the town of Vukovar in 1991;

RECALLING that in his Motion of 8 July 1997, Defence Counsel for Slavko Dokmanović requested the Trial Chamber authorise that he be tried separately from the aforementioned persons with whom he has been jointly charged and RECALLING FURTHER that on 22 September 1997 the request was denied on the grounds that the matter was premature for consideration;

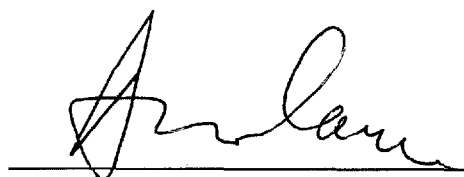
HAVING HEARD the arguments of both the Prosecutor and Defence Counsel on 27 November 1997;

NOTING that none of the co-accused of Slavko Dokmanović is in the custody of the Tribunal, nor appears to be in the process of being transferred to the custody of the Tribunal;

CONSIDERING that pursuant to Article 21(4)(c) of the Statute, which guarantees that an accused has the right to be tried without undue delay, it is in the interests of justice for Slavko Dokmanović to be tried separately from his co-accused.

FOR THE FOREGOING REASONS,

The Trial Chamber ORDERS that Slavko Dokmanović be tried separately from Mile Mrksić, Miroslav Radić and Veselin Šljivančanin, it being understood that should the said co-accused come into the custody of the Tribunal before commencement of the trial of Slavko Dokmanović, the Trial Chamber may reconsider its decision.

A handwritten signature in black ink, appearing to read 'Antonio Cassese', written over a horizontal line.

Antonio Cassese
Presiding Judge

Dated this twenty-eighth day of November 1997
At The Hague
The Netherlands

[Seal of the Tribunal]