



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-95-16-PT
Date: 10 March 1998
Original: ENGLISH

IN THE TRIAL CHAMBER

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

Registrar: Mrs. Dorothee de Sampayo Garrido-Nijgh

Decision of: 10 March 1998

PROSECUTOR

v.

**ZORAN KUPREŠKIĆ
MIRJAN KUPREŠKIĆ
VLATKO KUPREŠKIĆ
VLADIMIR ŠANTIĆ also known as "VLADO"
DRAGO JOSIPOVIĆ
DRAGAN PAPIĆ**

DECISION ON DEFENCE REQUESTS FOR ASSIGNMENT OF COUNSEL

The Office of the Prosecutor:

**Mr. Mark Harmon
Mr. Michael Blaxill**

Mr. Terree Bowers

Counsel for the Accused:

**Mr. Ranko Radović, for Zoran Kupreškić
Ms. Jadranka Sloković Glumac, for Mirjan Kupreškić
Mr. Borislav Krajina and Mr Želimir Par, for Vlatko Kupreškić
Mr. Petar Pavković, for Vladimir Šantić
Mr. Luko Šušak, for Drago Josipović
Mr. Petar Pulišelić, for Dragan Papić**

THE TRIAL CHAMBER,

NOTING the various requests filed on 10 and 17 February 1998 by each of the accused, save Mirjan Kupreškić, requesting the assignment to them of defence counsel who do not speak one of the two working languages of the International Tribunal, pursuant to Rule 45 (B) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”),

NOTING that the Office of the Prosecutor (“Prosecution”) has filed no response to or comment on such requests,

NOTING that the defence counsel whom the accused seek to have assigned to them all speak the language of the accused,

NOTING also that all oral proceedings and documents forming part of the record of the trial are, in any event, interpreted or translated into the language of the accused,

CONSIDERING that Rule 45 (B) of the Rules permits a Judge or Trial Chamber to authorise the Registrar, in particular circumstances, to assign counsel who does not speak either of the two working languages of the International Tribunal but who does speak the language of the accused,

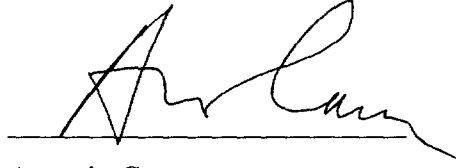
CONSIDERING that it would be in the interests of justice in these particular circumstances for the accused to be represented by counsel of their choice, subject to certain conditions as set forth below,

PURSUANT to Rule 45 (D) of the Rules

HEREBY AUTHORISES the Registrar to assign to each of the accused counsel of their choice, even if that counsel does not speak either of the two working languages of the International Tribunal, PROVIDED HOWEVER that should the accused later seek the

assignment of co-counsel, such co-counsel must speak one of the working languages of the International Tribunal.

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

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

Antonio Cassese
Presiding Judge

Dated this tenth day of March 1998
At The Hague
The Netherlands

[Seal of the Tribunal]