



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-01-48-PT
Date: 16 July 2002
Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Order of: 16 July 2002

PROSECUTOR

v.

SEFER HALILOVIĆ

DIRECTION FOR FURTHER INFORMATION

The Office of the Prosecutor:

**Mr. Ekkehard Withopf
Mr. Carl Koenig
Mr. David Hackney
Mr. José Dória**

Counsel for the Accused:

Mr. Richard Soyer

I, O-GON KWON, Judge 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”),

HAVING BEEN APPOINTED as pre-trial Judge in this case by virtue of the order of Trial Chamber III dated 10 December 2001,

NOTING that the Trial Chamber is seised of a request filed by Sefer Halilović (“the Accused”) on 24 June 2002 pursuant to Article 13 of the Directive on Assignment of Defence Counsel issued by the International Tribunal for a review of the decision of the Registrar dated 19 June 2002 declining to assign Mr Senad Kreho as defence counsel for the Accused and assigning Mr Richard Soyer as defence counsel,

NOTING the “Registry Comments on Trial Chamber’s Invitation to Comment on the Accused’s Request for Review of the Registrar’s Decision on the Assignment of Counsel” filed on 5 July 2002 which refer to (i) a memorandum provided by the Office of the Prosecutor to the Registry dated 7 June 2002; and (ii) a telephone conversation on or about 18 June 2002 conducted with Ms Dijana Kreho during which she purported to confirm certain information;

NOTING FURTHER that, in the Registry Comments, it states “it appears that ...the Code of Professional Conduct for Defence Counsel would prohibit an assignment of Ms Kreho”,

PURSUANT to Rules 54 and 65 *ter* (B) of the Rules of Procedure and Evidence of the International Tribunal and Article 13 of the Directive on Assignment of Defence Counsel,

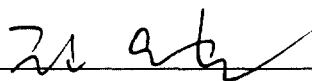
DIRECT the Registrar, within 7 days, to

(a) Provide the following information:

- (i) the memorandum of the Prosecution dated 7 June 2002,
- (ii) a copy of the request of the Accused dated 28 May 2002 to have Mr Balijagić replaced as his defence counsel by Mr Senad Kreho,
- (iii) A more detailed report of the telephone conversation occurring on or about 18 June 2002, the context in which the conversation with her took place, and whether Ms Kreho accepted that the ethical problems had resulted in Mr Senad Kreho being discharged,

(b) Clarify whether there are any circumstances in which it would be acceptable to the Registry for Ms Kreho to represent the Accused as defence counsel.

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



Judge O-Gon Kwon

Pre-Trial Judge

Dated this sixteenth day of July 2002

At The Hague

The Netherlands

[Seal of the Tribunal]