



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-08-91-T
Date: 16 February 2012
Original: English

IN TRIAL CHAMBER II

Before: Judge Burton Hall, Presiding
Judge Guy Delvoie
Judge Frederik Harhoff

Registrar: Mr. John Hocking

Order of: 16 February 2012

PROSECUTOR

v.

MIĆO STANIŠIĆ AND STOJAN ŽUPLJANIN

PUBLIC

**ORDER ASSIGNING COUNSEL FOR WITNESS
TOMISLAV KOVAČ**

The Office of the Prosecutor

Ms. Joanna Korner
Mr. Thomas Hannis

Counsel for the Accused

Mr. Slobodan Zečević and Mr. Slobodan Cvijetić for Mićo Stanišić
Mr. Dragan Krgović and Mr. Aleksandar Aleksić for Stojan Župljanin

TRIAL CHAMBER II (“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”);

NOTING that the Trial Chamber has decided to call Tomislav Kovač to testify pursuant to Rule 98 of the Tribunal’s Rules of Procedure and Evidence (“Rules”) in the current proceedings;¹

NOTING that the witness has been scheduled to testify on 7 and 8 March 2012 and, consequently, proofing of the witness by a Legal Officer of the Chamber, in accordance with Guideline 4 of the Procedural Order, will be conducted on 5 March 2012;²

NOTING that the witness requested, through the Chamber’s Legal Officer and the Tribunal’s Victims and Witnesses Section, the assistance of counsel for the purposes of his anticipated testimony in this case since he has concerns regarding the possibility of self-incrimination;

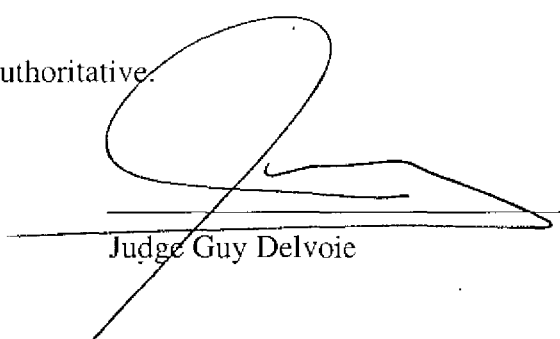
NOTING that Rule 90(E) of the Rules of Procedure and Evidence (“Rules”) states that a witness may object to making any statement which might tend to incriminate him;

CONSIDERING that in the circumstances it is appropriate to grant the witness access to legal assistance;

PURSUANT to Rule 54 of the Rules;

ORDERS the Registry to take the steps necessary to ensure that the witness has counsel who is available and prepared both for the proofing of the witness and for the duration of his testimony before the Chamber and inform the witness of this order.

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



Judge Guy Delvoie

Dated this sixteenth day of February 2012

At The Hague

The Netherlands

[Seal of the Tribunal]

¹ See Hearing, 18 January 2012, T. 26671; Order scheduling the appearance of three witnesses pursuant to Rule 98, 15 Feb 2012 (“Scheduling Order”).

² Scheduling Order; Order on procedure for the testimonial evidence of witnesses pursuant to Rule 98 (“Procedural Order”), 6 Feb 2012.