

**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-09-92-T
Date: 10 March 2015
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr John Hocking

Order of: 10 March 2015

PROSECUTOR

v.

RATKO MLADIĆ

CONFIDENTIAL

**ORDER TO THE REGISTRAR TO APPOINT OR ASSIGN
COUNSEL TO WITNESS VIDOJE BLAGOJEVIĆ**

Office of the Prosecutor

Mr Peter McCloskey
Mr Alan Tieger

Counsel for Ratko Mladić

Mr Branko Lukić
Mr Miodrag Stojanović

TRIAL CHAMBER I (“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 the Defence’s request for presence of counsel for Defence Witness Vidoje Blagojević (“Witness”), a former accused previously convicted by the Tribunal, during his upcoming testimony before this Chamber;¹

NOTING the Witness’s letter to the Chamber wherein he specifies that he seeks appointment of his prior defence counsel Vladimir Domazet to assist him in any proofing sessions and during his upcoming testimony, especially in relation to any potential self-incriminating testimony which could then be used against the Witness in domestic proceedings;²

NOTING the Prosecution’s non-objection to these requests;³

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

CONSIDERING that the Witness’s expected testimony may touch upon issues which could expose him to the risk of self-incrimination;

CONSIDERING that the risk of self-incrimination does not necessarily require assistance of counsel in the courtroom;

FINDING it appropriate however, in the present circumstances and on an exceptional basis, to grant the Witness access to legal assistance in determining whether any of his answers during his testimony before this Chamber may incriminate him;

PURSUANT TO Rule 54 of the Rules;

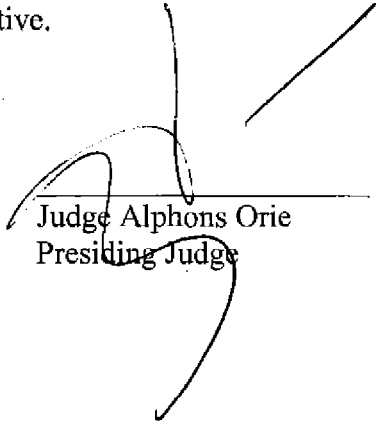
¹ Defence Request for Presence of Counsel for Defence Witness Vidoje Blagojević, 3 March 2015 (Confidential), paras 2-3, 5.

² Letter to Trial Chamber I, 4 March 2015 (Confidential).

³ T. 32653.

ORDERS the Registry to inform the Witness of the content of this order and appoint or assign counsel, preferably Vladimir Domazet, to the Witness to assist him prior and during his testimony before this Chamber.

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



Judge Alphons Orie
Presiding Judge

Dated this Tenth day of March 2015
At The Hague
The Netherlands

[Seal of the Tribunal]