



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.**

**MİĆO STANIŠIĆ AND STOJAN ŽUPLJANIN**

***PUBLIC***

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**ORDER ASSIGNING COUNSEL FOR WITNESS  
TOMISLAV KOVAČ**

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**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;<sup>1</sup>

**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;<sup>2</sup>

**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;

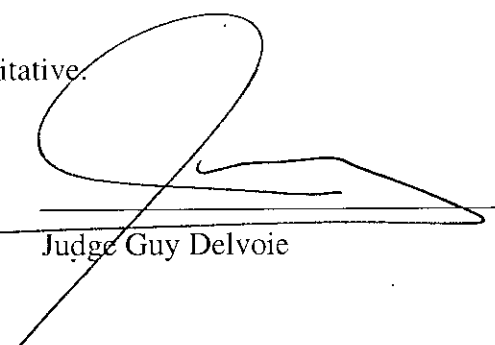
**NOTING** that Rule 90(E) of the Rules of Procedure and Evidence (“Rules”) states that a witness may object to making any statement which might tend to incriminate him;

**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]**

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

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