

INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIACHURCHILLPLEIN, 1, P.O. BOX 13888  
2501 EW THE HAGUE, NETHERLANDS  
TELEPHONE: 31 70 512-5000  
FAX: 31 70 512-8637TRIBUNAL PÉNAL INTERNATIONAL  
POUR L'EX-YOUGOSLAVIECHURCHILLPLEIN, 1, B.P. 13888  
2501 EW LA HAYE, PAYS-BAS  
TÉLÉPHONE: 31 70 512-5000  
TÉLÉCOPIE: 31 70 512-8637

***Prosecutor v. Dragan Jokić***  
**Case No. IT-02-60**

**DECISION****THE DEPUTY REGISTRAR,**

**NOTING** the Statute of the Tribunal as adopted by the Security Council under Resolution 827 (1993), and in particular Article 21 thereof;

**NOTING** the Rules of Procedure and Evidence as adopted by the Tribunal on 11 February 1994, as subsequently amended ("Rules"), and in particular Rules 44 and 45 thereof;

**NOTING** the Directive on the Assignment of Defence Counsel as adopted by the Tribunal on 28 July 1994, as subsequently amended ("Directive"), and in particular Articles 14 and 16 thereof;

**NOTING** the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.2) ("Code of Conduct");

**NOTING** the Registrar's Decision of 15 January 2002, finding Mr. Dragan Jokić to lack the means to remunerate counsel at the rate provided for by the Directive, and assigning Mr. Miodrag Stojanović, Attorney at Law from Bosnia and Herzegovina, as his counsel;

**NOTING** the Registrar's Decision of 5 February 2002, assigning Ms. Cynthia Sinatra, Attorney at Law from the United States, as co-counsel to Mr. Stojanović;

**NOTING** the Deputy Registrar's Decision of 8 January 2004, withdrawing Ms. Sinatra and assigning Mr. Branko Lukić, Attorney at Law from Bosnia and Herzegovina, as co-counsel to Mr. Stojanović;

**NOTING** the Deputy Registrar's Decision of 22 February 2005, withdrawing Mr. Stojanović and assigning Ms. Sinatra as lead counsel;

**NOTING** the Deputy Registrar's Decision of 19 August 2005, assigning Ms. Chrissa Loukas, Attorney at Law from Australia, as co-counsel to Ms. Sinatra;

**NOTING** the Deputy Registrar's Decision of 7 April 2006, withdrawing Ms. Sinatra as lead counsel and assigning Mr. Peter Murphy, Attorney at Law from the United States, as lead counsel to Mr. Jokić, and Ms. Loukas as co-counsel to Mr. Murphy.

**CONSIDERING** that while the Appeal Judgement in the *Jokić* case was delivered on 9 May 2007, Mr. Jokić continues to be detained in the United Nations Detention Unit and remains in

Tribunal custody awaiting transfer to the designated State in which his sentence will be enforced, and as such, is entitled to legal representation;

**CONSIDERING** that on 27 August 2007, Mr. Murphy made a written submission requesting the Registry to withdraw him as lead counsel, indicating that he had accepted an offer of appointment as a Circuit Judge from the Ministry of Justice in England which required him to be free of all work as an advocate not later than 1 October 2007, and further indicating that Mr. Jokić had agreed to Mr. Murphy's withdrawal;

**CONSIDERING** that on 2 October 2007, Mr. Jokić informed the Registry that he would request Ms. Branislava Isailović, Attorney at Law from France, as his replacement counsel;

**NOTING** Articles 20(A)(i) and 20(E) of the Directive, which provide that in the interests of justice, the Registrar may withdraw counsel at the request of the accused or his counsel and assign replacement counsel;

**CONSIDERING** that Ms. Isailović is on the Registry's list of counsel eligible for assignment to indigent suspects and accused under Rule 45 of the Rules, and has agreed to be assigned as counsel to Mr. Jokić;

**CONSIDERING** that Ms. Isailović is currently acting as co-counsel for Mr. Dragomir Milošević in proceedings before the Tribunal in the case, *Prosecutor v. Dragomir Milošević*, Case No. IT-98-29/1;

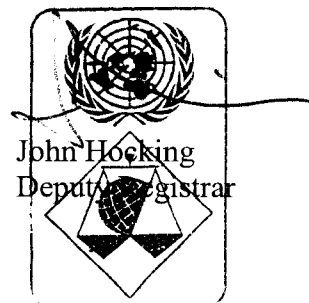
**CONSIDERING** that both Mr. Jokić and Mr. Milošević have consented in writing to the dual assignment of Ms. Isailović;

**CONSIDERING** that the Registry is satisfied in accordance with Article 16(G)(ii) of the Directive that the assignment of Ms. Isailović to both cases presents no scheduling conflict and no potential or actual conflict of interest, and that the assignment would not otherwise prejudice the defence of either accused or the integrity of the proceedings;

**FINDING** that the interests of justice would be served in allowing the replacement of counsel under these circumstances;

**HEREBY DECIDES** to withdraw Mr. Peter Murphy and to assign Ms. Branislava Isailović as counsel to Mr. Dragan Jokić, effective as of the date of this Decision;

**DIRECTS** Mr. Murphy, in accordance with Article 9(D) of the Code of Conduct, to surrender to the Tribunal any case-related materials he received during his assignment as counsel.



Dated this 11<sup>th</sup> day of October 2007  
At The Hague,  
The Netherlands.