

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

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IT-02-54-T-R77.4

20 April 2005

Case No. IT-02-54-T-R77.4
Prosecutor v. Slobodan Milošević

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, 45, 62(B) and 77 thereof;

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

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.1);

NOTING that Mr. Kosta Bulatović was called to testify in the case *Prosecutor v. Slobodan Milošević* as a Defence witness;

NOTING the refusal of Mr. Kosta Bulatović ("Accused") to answer questions asked by the Prosecution in cross-examination on 19 and 20 April 2005;

NOTING the Trial Chamber's "Order on Contempt Concerning Witness Kosta Bulatović" of 20 April 2005, by which the Trial Chamber initiated proceedings against the Accused pursuant to Rule 77 of the Rules;

NOTING that the Rules in Parts Four to Eight apply *mutatis mutandis* to proceedings under Rule 77 of the Rules;

NOTING that any person charged with contempt is entitled to assigned counsel in accordance with Rule 45 of the Rules if that person satisfies the criteria for determination of indigency;

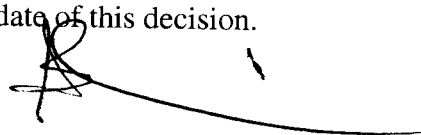
CONSIDERING that the Accused is not represented by counsel;

CONSIDERING that the Accused's rights under the Statute, Rules and Directive must be protected until he retains permanent counsel or has counsel assigned to him pursuant to Rule

45 of the Rules and that Rule 62(B) of the Rules enables the Registrar to assign duty counsel for this purpose;

CONSIDERING that Mr. Stephane Bourgon, Attorney at Law from Montreal, is on the list of "duty counsel" envisaged in Rule 45(C) of the Rules, and has agreed to represent the Accused as duty counsel;

HEREBY DECIDES to assign Mr. Bourgon as duty counsel to represent the Accused pursuant to Article 16(F) of the Directive, effective as of the date of this decision.


John Hocking
Deputy Registrar



Dated this twentieth day of April 2005
At The Hague,
The Netherlands.