

Prosecutor v. Vladimir Kovacevic

DECISION

THE DEPUTY REGISTRAR,

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

CONSIDERING the Rules of Procedure and Evidence as adopted by the Tribunal on 11 February 1994, as subsequently amended, and in particular Rules 44 and 45 thereof;

CONSIDERING the Directive on Assignment of Defence Counsel (hereinafter "the Directive"), as adopted by the Tribunal on 28 July 1994, as subsequently amended, and in particular, Articles 6, 8, 10 and 11(C);

CONSIDERING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.1) (hereinafter "the Code of Conduct"), and in particular Article 14 thereof;

CONSIDERING that Vladimir Kovačević (hereinafter "the accused") was transferred to the seat of the Tribunal on 23 October 2003 and that he informed a representative of the Registry that he consents to being represented by Mr. Howard Morrison, attorney at law from London;

CONSIDERING the decision of the Registrar dated 31 October 2003 assigning Mr. Morrison as counsel for the accused for a period of 120 days;

CONSIDERING the request of Mr. Morrison dated 17 November 2003 to have Ms. Tanja Radosavljevic, attorney at law from Belgrade, assigned as co-counsel for the accused;

NOTING the decision of the Registrar dated 11 September 2002 assigning Ms. Radosavljevic as co-counsel for Mr. Dragan Nikolic;

NOTING further that Mr. Morrison is lead counsel for Mr. Nikolic and that the sentencing hearing in the case is scheduled for 2 December 2003;

CONSIDERING that the Registry is satisfied that the rights of both accused will not be adversely affected by the assignment of Ms. Radosavljevic to their respective cases;

CONSIDERING that in accordance with Article 21 of the Statute, an accused has the right to be assigned legal assistance in any case where the interests of justice so require, without payment if the accused does not have sufficient means to remunerate counsel;

CONSIDERING that in order to request the assignment of counsel the accused shall submit a

declaration of his means on the form provided by the Registry;

CONSIDERING that the accused has submitted his declaration of means to the Registry on 19 November 2003 requesting Mr. Morrison as his lead counsel and Ms. Radosavljevic as his co-counsel;

CONSIDERING that on the basis of Article 16 (C) of the Directive, the Registrar may assign a second counsel to assist the lead counsel in the interest of justice;

CONSIDERING that Ms. Radosavljevic is currently on the Rule 45 list of counsel who are eligible to be considered for an assignment as counsel;

DECIDES to assign Ms. Tanja Radosavljevic as co-counsel for the accused for a period of 120 days as of the date of Mr. Morrison's assignment (31 October 2003) pending verification as to whether the accused satisfies the requisite conditions for assignment of counsel.

David Tolbert
Deputy Registrar

Dated this twentieth day of November 2003
At The Hague
The Netherlands