

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIACHURCHILLPLEIN, 1. P.O. BOX 13888
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D13237 - D13236
27 FEBRUARY 2008

Prosecutor v. Stanišić and Simatović
Case No. IT-03-69-PT

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 that on 18 July 2003, the Registrar assigned Mr. Zoran Jovanović, Attorney at Law from Belgrade, as lead counsel to Mr. Franko Simatović ("Accused") for a period of 120 days pending the Registry's determination of the Accused's eligibility for legal aid;

CONSIDERING that on 1 August 2003, the Accused submitted a declaration of means to the Registry;

CONSIDERING the Registrar's Decision of 26 November 2003 extending the assignment of Mr. Jovanović as counsel to the Accused pending verification of the Accused's declaration of means;

CONSIDERING that on 17 May 2004, the Registry assigned Mr. Jovanović as permanent counsel to the Accused, and found that the Accused was partially indigent and able to contribute \$145,196 to the cost of his defence ("Decision");

CONSIDERING the Registrar's Decision of 27 February 2006, which, noting that it was necessary to adjust certain aspects of the above Decision which had an impact upon the extent to which the Accused is able to remunerate counsel, confirmed Mr. Jovanović's assignment as counsel to the Accused, and found that the Accused was able to remunerate counsel in the amount of US\$110,200;

CONSIDERING that on 7 February 2008, Mr. Jovanović submitted a written request to the Registrar requesting the assignment of Mr. Vladimir Domazet, Attorney at Law from Niš, Serbia, as co-counsel;

CONSIDERING that Mr. Domazet is on the Tribunal's list of counsel eligible for assignment to indigent suspects and accused under Rule 45 of the Rules;

CONSIDERING that Mr. Domazet is currently assigned as co-counsel in the case on appeal against Mr. Mile Mrkšić before this Tribunal;

CONSIDERING that on 21 February 2008, the Registrar, by letter to Mr. Domazet, expressed his concerns about a possible scheduling conflict between the Accused's case and Mr. Mrkšić's case, and requested Mr. Domazet to state how he would handle the resulting workload;

CONSIDERING that in a letter dated 22 February 2008, Mr. Domazet made a written submission detailing how he would allocate his time in order to complete the work to be performed on both the Accused's case and Mr. Mile Mrkšić's case;

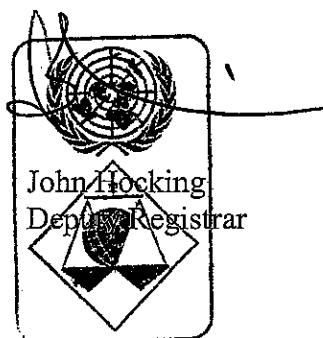
CONSIDERING that both the Accused and Mr. Mile Mrkšić have consented in writing to the dual assignment of Mr. Domazet;

CONSIDERING that Mr. Domazet was previously assigned as counsel to Messrs Vidoje Blagojević (Case No IT-02-60A), Mitar Vasiljević (IT-98-32) and Mitar Rasević (IT-97-25) before the Tribunal;

CONSIDERING that the Registrar is satisfied, in accordance with Article 16(G)(ii) of the Directive, that the dual assignment of Mr. Domazet 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 assignment of co-counsel to assist with the defence of the Accused;

HEREBY DECIDES to assign Mr. Vladimir Domazet as co-counsel to Mr. Franko Simatović, effective as of the date of this Decision;



Dated this 27th day of February 2008
At The Hague,
The Netherlands.