

UNITED NATIONS



INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

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IT-01-42-PT ~~IT-95-8-S~~ 1231 AT  
NATIONS UNIES  
D1231 - D1230 ~~D1045 - D1044~~  
28 NOVEMBER 2001 ~~28 NOVEMBER 2001~~

TRIBUNAL PÉNAL INTERNATIONAL  
POUR L'EX-YOUGOSLAVIE

CHURCHILLPLEIN, 1. B.P. 13888  
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Case No. IT-95-8-S  
*Prosecutor v. Damir Došen*

Case No. IT-01-42-PT  
*Prosecutor v. Pavle Strugar*

## DECISION

### THE 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 subsequently amended, and in particular Articles 6, 8, 10, 11 (B), 16 (C) and 19 (A) (i);

CONSIDERING the request dated 16 November 2001 of Mr. Goran Rodić, assigned counsel to Mr. Pavle Strugar (hereinafter "the accused") by a decision of the Registrar dated 12 November 2001, to have Mr. Vladimir Petrović, Attorney at law from Belgrade, assigned as co-counsel to the accused;

NOTING that Mr. Petrović has been assigned as counsel to Mr. Damir Došen by the Registrar on 12 November 1999;

COSNDERING that in a letter to the Registry dated 21 November 2001, the accused Došen agreed to the withdrawal of Mr. Petrović as counsel but has requested that Mr. Petrović remains available to provide him with any legal advice in relation to his transfer to a third country to serve his sentence;

CONSIDERING that the judgement in the case of Mr. Došen has been delivered on 13 November 2001 and that there will not be any appeal proceedings;

CONSIDERING that, at this time, there appears to be no potential conflict of interest arising from an assignment of Mr. Petrović as co-counsel to the accused and his temporary assignment as legal consultant to the accused Došen;

CONSIDERING that under Article 19 (A) (i) of the Directive, in the interests of justice, the Registry may withdraw an assignment of counsel at the request of the accused or his counsel;



**CONSIDERING** that in accordance with the new practice of payment as adopted by the Registry on 1 January 2001, a co-counsel may be appointed during the pre-trial phase in order to assist the counsel with the preparation of the trial;

**CONSIDERING** that Mr. Petrović meets the requirement for assignment as set forth of Article 14 of the Directive;

**NOTING** that Mr. Rodić has been temporarily assigned as counsel to the accused as of 25 October 2001 for a period of time of 120 days while the Registry is in the process of verifying whether the accused satisfied the requisite conditions for assignment of counsel;

**CONSIDERING HOWEVER** that the right of the accused to counsel should not be affected while the Registrar is in the process of examining the information referred to in Articles 7 and 9 of the Directive;

**DECIDES** to withdraw the assignment of Mr. Petrović as counsel to Mr. Došen and to assign him as co-counsel to the accused as of 16 November 2001 for a period of time of 98 days.

  
Bruno Cathala  
Deputy Registrar

Dated this twenty sixth day of November 2001  
At The Hague  
The Netherlands

