

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  
TELEPHONE: 31 70 512-5000  
FAX: 31 70 512-8637**Case No. IT-99-37-PT*****Prosecutor v. Nikola Šainović*****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, as adopted by the Tribunal on 28 July 1994, as subsequently amended, and in particular Article 19 (A) (ii) thereof;

**CONSIDERING** the request of Mr. Toma Fila dated 2 December 2002 seeking the assignment of Mr. Vladimir Petrović, attorney at law from Belgrade, as co-counsel for the accused Nikola Šainović;

**CONSIDERING** the request of Mr. Goran Rodić, attorney at law from Podgorica, dated 2 December 2002 requesting the withdrawal of the assignment of Mr. Petrović as co-counsel for the accused Pavle Strugar;

**NOTING** the decision of the Registrar dated 10 May 2002 assigning Mr. Fila, attorney at law from Belgrade, as counsel for the accused Šainović;

**NOTING** the decisions of the Registrar dated 12 and 26 November 2001 assigning Mr. Rodić and Mr. Petrović as lead counsel and co-counsel for the accused Strugar;

**CONSIDERING** that Mr. Rodić has stated in a letter dated 10 December 2002 that he will not apply for the assignment of a co-counsel during the pre-trial stage and will not request any additional time due to the withdrawal of the assignment of Mr. Petrović as co-counsel;

**CONSIDERING** that the accused Strugar gave his written consent to the assignment of Mr. Petrović as co-counsel for the accused Šainović;

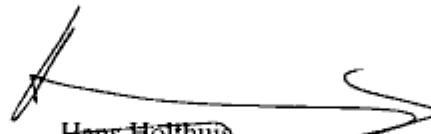
**CONSIDERING** that the reassignment of Mr. Petrović does not cause prejudice to the defense of both accused and that no conflict of interest is resulting from his assignment as co-counsel for the accused Šainović;

**CONSIDERING** that on the basis of Article 19 (A) (ii) of the Directive, the Registrar may withdraw the assignment of the co-counsel at the request of the lead 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 interests of justice;

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

**DECIDES** to withdraw the assignment of Mr. Petrović as co-counsel for the accused Strugar and to assign him as co-counsel for the accused Šainović.

  
Hans Holthuis  
  


Dated this twenty third day of December 2002  
At The Hague  
The Netherlands