

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIACHURCHILLPLEIN, 1 P.O. BOX 13888
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POUR L'EX-YOUGOSLAVIECHURCHILLPLEIN, 1. B.P. 13888
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TÉLÉPHONE: 31 70 512-5000
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D296 - D295
29 APRIL 2008

Case No. IT-04-84-R77.4
Prosecutor v. Bajrush Morina

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(H) thereof;

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.2);

NOTING that on 8 January 2008, an indictment was filed against Mr. Bajrush Morina ("Accused"), charging him with contempt of the Tribunal under Rule 77 of the Rules and that this indictment was made public on 25 April 2008;

NOTING that the Indictment of 8 January 2008 alleges the Accused to have knowingly and willfully interfered, together with another accused, with the administration of justice by interfering with a protected witness (witness "PW") in the case *Prosecutor v. Ramush Haradinaj et al.* Case No. IT-04-84-T;

CONSIDERING that the Accused was transferred to the seat of the Tribunal on 28 April 2008;

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 indigence;

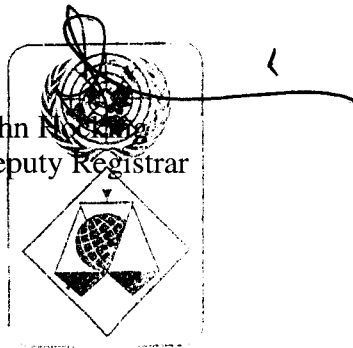
CONSIDERING that the Accused's rights under the Statute, Rules and Directive must be protected until he retains permanent counsel or has counsel assigned to him pursuant to Rule

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. Jens Dieckmann, Attorney at Law from Germany, 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. Jens Dieckmann pursuant to Article 16(H) of the Directive, as duty counsel to represent the Accused at his initial appearance, and in such other matters as may be necessary until a permanent counsel is assigned, effective as of the date of this decision.

John N. ...
Deputy Registrar



Dated this twenty-ninth day of April 2008
At The Hague,
The Netherlands