

UNITED NATIONS



NATIONS UNIES

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

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Case No. IT-04-74-T

Prosecutor v. Slobodan Praljak

**PUBLIC
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, 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 16 and 20 thereof;

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.3);

CONSIDERING that on 5 April 2004, Mr. Slobodan Praljak (“Accused”) was transferred to the seat of the Tribunal and that on 14 June 2004, the Accused informed the Registry that he had engaged Mr. Božidar Kovačić and Ms. Nika Pinter, attorneys at law from Croatia, as Counsel and Co-counsel respectively, to represent him before the Tribunal;

CONSIDERING that on 13 September 2004, the Accused submitted a declaration of means to the Registry, thereby applying for the assignment of Tribunal-paid Counsel on the basis that he did not have sufficient means to remunerate Counsel;

CONSIDERING the Deputy Registrar’s Decision of 17 June 2005, by which the Deputy Registrar denied the Accused’s request for legal aid as the Accused had refused to provide information relevant for the Registry’s determination of his financial status and that, by doing so, the Accused had failed to show that he was unable to remunerate counsel;

CONSIDERING that on 21 September 2005, Trial Chamber I upheld the Deputy Registrar’s Decision of 17 June 2005;

CONSIDERING the “Notice of Slobodan Praljak’s Counsel’s and Co-counsel’s Withdrawal as Counsel and Co-counsel of Record Based on the Registry’s Decision Denying Slobodan Praljak’s Rule 45 Request for Legal Assistance in Light of His Inability to Finance His Defence” of 29 September 2005, by which Mr. Kovačić and Ms. Pinter notified the Registrar and the Chamber that the Accused had discontinued their services;

NOTING the Deputy Registrar's Notification of 3 November 2005 of the Accused's election to conduct his own defence pursuant to Rule 45(F) of the Rules;

CONSIDERING the "Request of Slobodan Praljak for the Review of an Opinion of the Registrar of the Tribunal and Request for Assignment of Defence Counsel" of 5 January 2006 and the Registry's reply of 27 January 2006;

CONSIDERING Trial Chamber II's "Decision on Assignment of Defence Counsel" of 15 February 2006 ("Trial Chamber's Decision"), by which the Trial Chamber directed the Registrar to assign Counsel to the Accused in the interest of justice;

CONSIDERING that on 16 February 2006, the Accused requested the Registry to assign Mr. Božidar Kovačić as his Counsel pursuant to the Trial Chamber's Decision; and that on 19 February 2006, Mr. Kovačić requested the assignment of Ms. Nika Pinter as his Co-counsel;

CONSIDERING that on 6 March 2006 the Registrar assigned Mr. Kovačić as Lead Counsel to the Accused and Ms. Nika Pinter as his Co-counsel.

CONSIDERING that on 22 February 2011 Mr. Kovačić submitted a request to the Registrar to be withdrawn as Lead Counsel to the Accused pursuant to Article 20 (A) (i) of the Directive;

NOTING that on 22 February 2011, the Accused also submitted a written request for the withdrawal of Mr. Kovačić's assignment as Lead Counsel, and requested the assignment of Ms. Pinter as replacement Lead Counsel;

CONSIDERING that the Registrar requested Mr. Kovačić and Ms. Pinter to provide additional information in relation to the request for withdrawal;

NOTING that the Registrar is satisfied with the reasons provided by Mr. Kovačić in relation to the request for withdrawal;

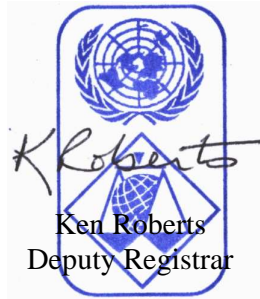
NOTING Article 20(A)(i) of the Directive, which provides that in the interests of justice, the Registrar may withdraw the assignment of Counsel at the request of the Accused or Counsel;

NOTING that on 7 April 2011, Mr. Kovačić and Ms. Pinter provided the Registry with a transition plan, whereby Ms. Pinter would be reassigned as Lead Counsel, while Mr. Kovačić would be reassigned as Co-counsel for a temporary period, pending the withdrawal of his assignment as counsel;

FINDING that the interests of justice would be served in allowing the replacement of Lead Counsel under the given circumstances and in re-assigning Mr. Kovačić as Co-counsel on a temporary basis;

HEREBY DECIDES pursuant to Article 20(A) of the Directive:

- 1) to withdraw the assignment of Mr. Kovačić and to assign Ms. Pinter as Lead Counsel to the Accused Slobodan Praljak, effective as of the date of this decision; and
- 2) to assign Mr. Kovačić as Co-counsel to Ms. Pinter, effective as of the date of this decision.

The image shows a blue ink signature of Ken Roberts written over a circular official stamp. The stamp features the United Nations emblem at the top and a diamond-shaped logo with a globe in the center. Below the signature, the text "Ken Roberts" and "Deputy Registrar" is printed in a blue serif font.

Ken Roberts
Deputy Registrar

Dated this 11th day of April 2011
At The Hague,
The Netherlands.