



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of the
Former Yugoslavia since 1991

IT-02-54-AR65.1
A209- A208
17 MARCH 2006

Case No.: IT-02-54-AR65.1
Date: 17 March 2006
Original: English

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IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Liu Daqun
Judge Theodor Meron
Judge Wolfgang Schomburg

Registrar: Mr. Hans Holthuis

Decision of: 17 March 2006

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

**DECISION ON ASSIGNED COUNSEL MOTION FOR
EXPEDITED APPEAL AGAINST THE TRIAL
CHAMBER'S "DECISION ON ASSIGNED COUNSEL
REQUEST FOR PROVISIONAL RELEASE"**

Former Court Assigned Counsel The Government of the Russian Federation

Mr. Steven Kay, QC
Ms. Gillian Higgins

The Office of the Prosecutor

Ms. Carla Del Ponte
Mr. Geoffrey Nice

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THE APPEALS CHAMBER of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991 (“International Tribunal”),

RECALLING that the Appeals Chamber is seized of the “Assigned Counsel Motion for Expedited Appeal Against the ‘Decision on Assigned Counsel Request for Provisional Release,’ Rendered by the Trial Chamber on 23 February 2006 and Confidential Annex A” filed on 2 March 2006 (“Assigned Counsel Motion”);

NOTING the “Submission of the Registrar Pursuant to Rule 33(B) on the Death of Slobodan Milošević” filed on 13 March 2006 in which the Registrar of the International Tribunal informed the Trial Chamber presiding over this case that on Saturday, 11 March 2006, the accused Slobodan Milošević was found dead in his cell at the United Nations Detention Unit (“UNDU”) in The Hague, and that his death was confirmed by the Medical Officer of the UNDU;

NOTING the “Order Terminating the Proceedings” in the trial, *Prosecutor v. Milošević*,¹ issued by the Trial Chamber on 14 March 2006;

CONSIDERING that the Assigned Counsel Motion, which appeals the Trial Chamber’s “Decision on Assigned Counsel Request for Provisional Release” issued on 23 February 2006 denying Slobodan Milošević’s provisional release to the Russian Federation, is rendered moot by the death of Slobodan Milošević;

HEREBY DISMISSES the Assigned Counsel Motion as moot.

Done in English and French, the English text being authoritative.

Dated this 17th day of March 2006,

At The Hague,

The Netherlands.



Judge Fausto Pocar, Presiding Judge

[Seal of the International Tribunal]

¹ Case No. IT-02-54-T.