

COURTSIDE: Milosevic Case

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The former Yugoslav president continues to battle over legal representation.

The tug of war between Slobodan Milosevic and the tribunal over the appointment of his defence counsel entered a new phase last week, when a trial chamber order deemed two men, former US attorney-general Ramsey Clark and British lawyer John Livingston, "legal advisors to the accused".

The move irritated Milosevic who does not want to formally accept the two men as his counsel, though he does want to see and consult them. By accepting this decision, he fears he would be seen to recognise the legitimacy of the tribunal, which he has consistently denied.

Nor does he wish to limit himself to two advisors, but wants to consult a variety of international lawyers who have offered their services through the International Committee for Defence of Slobodan Milosevic, ICDSM.

As a result, his Belgrade lawyer, Zdenko Tomanovic, replied that Milosevic rejected the court's order.

On October 15, the tribunal registry sent Milosevic a letter advising him "of his legal right to receive visits from legal advisors and of practical requirements of the registry for designating such advisors".

The tribunal's procedure entitles him to communicate "fully and without restraint with the two legal advisors" as long as this takes place within the sight of detention unit staff. The court will not pay for this legal advice, however.

The registry asked Milosevic to choose two names from a long list of lawyers whom he had either met, or had expressed his wish to meet, during his four months of detention in Holland. These would be the "legal advisers" with whom he could have these confidential contacts.

When Milosevic requested to meet Clark and Livingston on October 26, the tribunal appears to have interpreted this as his response to the invitation to choose two legal advisors. The trial chamber announced the two shall be held accountable under the Code of Professional Conduct for Defence Counsels.

The battle goes on.

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