

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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Case No. IT-04-75-PT
Prosecutor v. Goran Hadžić

PUBLIC

DECISION

THE ACTING DEPUTY REGISTRAR,

NOTING the Statute of the Tribunal as adopted by the Security Council on 25 May 1993 under Resolution 827 (1993), as subsequently amended, 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 and 62(C) 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 7, 8 and 11(B), thereof;

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (“Code of Conduct”), and in particular Articles 9 and 14 thereof;

NOTING that Mr. Goran Hadžić (“Accused”) was transferred to the seat of the Tribunal on 22 July 2011, and that his first initial appearance was held on 25 July 2011, and his further appearance was held on 24 August 2011;

NOTING that on 25 July 2011, Mr. Vladimir Petrović, attorney at law from Serbia, was assigned by the Deputy Registrar pursuant to Rule 45 (C) and Rule 62 (B) of the Rules as duty counsel to the Accused for the purposes of his initial appearance;

NOTING that the assignment of Mr. Vladimir Petrović was limited to the initial appearance and the assignment of a replacement duty counsel to the Accused was necessary, pending the assignment of permanent counsel;

NOTING that on 27 July 2011, Mr. Zoran Živanović attorney at law from Serbia, was assigned as duty counsel to represent the Accused at his further initial appearance and in such other matters as may be necessary until a permanent counsel was assigned;

NOTING that the Accused has applied for the assignment of Tribunal-paid counsel pursuant to Articles 7 and 8 of the Directive on the basis that he does not have sufficient means to remunerate counsel;

CONSIDERING that on 29 August 2011, the Accused requested the assignment of his duty counsel Mr. Živanović, as lead counsel;

CONSIDERING that on 7 September 2011, acting pursuant to Article 11(B) of the Directive, the Registrar assigned Mr. Živanović, as lead counsel to the Accused for a period of 120 days, determining that an interim assignment of counsel was necessary to ensure that the Accused's right to counsel was not affected while the Registry examines his ability to remunerate counsel;

CONSIDERING that the Registry is conducting an inquiry into the Accused's ability to remunerate counsel and that the inquiry is still in progress;

CONSIDERING that the Registrar has determined that it is necessary to continue Mr. Živanović's assignment on an interim basis, to ensure that the Accused's right to counsel is not affected while the Registry conducts its inquiry;

HEREBY DECIDES to extend Mr. Živanović's assignment as counsel to the Accused for an additional period of 120 days, effective as of 4 January 2012.

Linda Strite Murnane

Acting Deputy Registrar

Dated this 20th day of December 2011
At The Hague,
The Netherlands.