



INTERNATIONAL CRIMINAL TRIBUNAL
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Case No. IT-04-84-R77.1
Prosecutor v. Shefqet Kabashi

PUBLIC

DECISION ON THE ASSIGNMENT OF DUTY COUNSEL

THE REGISTRAR,

NOTING the Statute of the Tribunal as adopted by the Security Council under Resolution 827 (1993), as subsequently amended ("Statute"), 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.3);

NOTING that on 5 June 2007, an Order in Lieu of Indictment was filed against Mr. Shefqet Kabashi ("Accused"), charging him with contempt of the Tribunal under Rule 77 of the Rules;

NOTING that on 18 February 2008, the Order in Lieu of Indictment was amended by the "Decision Granting Leave to Amend the Indictment";

CONSIDERING that the Accused was transferred to the seat of the Tribunal on 18 August 2011 and that his initial appearance shall be held in accordance with Rule 62 of the Rules;

NOTING that the Rules in parts four to eight apply *mutatis mutandis* to proceedings under Rule 77 of the Rules;

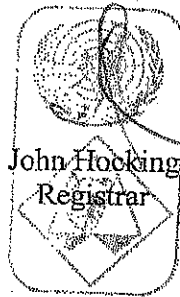
NOTING that any person charged with contempt of court is entitled to assigned counsel in accordance with Rule 45 of the Rules if that person satisfies the criteria for determination of indigency;

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 the Accused has been informed of his right to retain counsel or to have one assigned by the Registrar if he lacks the means to remunerate counsel, and has consented to the assignment of duty counsel in the interim;

CONSIDERING that Mr. Michael Karnavas attorney at law from the United States, is on the list of "duty counsel" envisaged in Rule 45(C) of the Rules, and has indicated his willingness to represent the Accused as duty counsel;

HEREBY DECIDES to assign Mr. Karnavas 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 retained by the Accused or assigned by the Registrar, effective as of the date of this decision.



Dated this 18th day of August 2011
At The Hague,
The Netherlands.