

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIACHURCHILLPLEIN, 1, P.O. BOX 13888
2501 EW THE HAGUE, NETHERLANDS
TELEPHONE: 31 70 512-5000
FAX: 31 70 512-8637TRIBUNAL PÉNAL INTERNATIONAL
POUR L'EX-YOUGOSLAVIECHURCHILLPLEIN, 1, B.P. 13888
2501 EW LA HAYE, PAYS-BAS
TÉLÉPHONE: 31 70 512-5000
TÉLÉCOPIE: 31 70 512-8637IT-00-39-A
A4993-A4992
04 APRIL 2008

Case No. IT-00-39-A

Prosecutor v. Momčilo Krajišnik

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;

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.2);

NOTING that the Trial Chamber rendered its judgement against Mr. Momčilo Krajišnik ("Accused") on 27 September 2006 ("27 September 2006 Judgment"), and, *inter alia*, sentenced the Accused "to a single sentence of twenty-seven (27) years of imprisonment";

CONSIDERING that on 8 December 2006, the Registrar assigned Mr. Colin Nicholls Q.C. ("Assigned Counsel") as permanent counsel to the Accused in accordance with the instructions of the Pre-Appeal Judge;

CONSIDERING that on 11 May 2007, the Appeals Chamber issued the "Decision on Momčilo Krajišnik's Request to Self-Represent, on Counsel's Motions in Relation to the Appointment of *Amicus Curiae* and on the Prosecution Motion of 16 February 2007", in which it held that the Accused has a right to represent himself on appeal, and requested the Registry to *inter alia* take any necessary steps to implement this decision ("Appeals Chamber Decision of 11 May 2007");

CONSIDERING that the Appeals Chamber Decision of 11 May 2007 terminated the representation of the Accused by assigned counsel;

CONSIDERING that on 16 May 2007, the Deputy Registrar withdrew the assignment of Mr. Colin Nicholls as counsel in this case as of the date of the Appeals Chamber Decision;

CONSIDERING that on 8 June 2007, the Deputy Registrar assigned Mr. Nicholls as *Amicus Curiae* pursuant to the Appeals Chamber Decision of 11 May 2007;

CONSIDERING that on 21 February 2008, the Accused filed a motion seeking postponement of the next status conference in this case until 31 March 2008, in order to accommodate the schedule of Mr. Alan Dershowitz ("Mr. Dershowitz"), whom Mr. Krajsnik sought to engage as counsel;

CONSIDERING the "Decision on Momčilo Krajišnik's Motion to Reschedule Status Conference and Permit Alan Dershowitz to Appear" of 28 February 2008 ("Appeals Chamber Decision of 28 February 2008"), in which the Appeals Chamber granted Mr. Krajsnik's motion of 21 February 2008, recognised that the Accused may engage Mr. Dershowitz's legal assistance regarding the sole issue of Joint Criminal Enterprise whilst remaining self-represented in all other respects and articulated parameters for Mr. Dershowitz's involvement in this case;

CONSIDERING that on 28 March 2008, the Accused executed a power of attorney authorising Mr. Dershowitz, Attorney at Law from the United States, to appear on his behalf at the next Status Conference in his case before the International Tribunal;


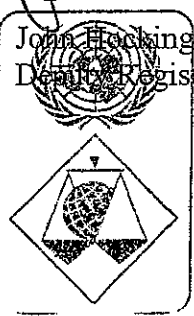
CONSIDERING that on 4 April 2008, the Accused executed a further Power of Attorney authorising Mr. Dershowitz to act on his behalf in proceedings before the International Tribunal, with respect to the sole issue of Joint Criminal Enterprise, in accordance with the Appeals Chamber Decision of 28 February 2008;

CONSIDERING that the Registrar is satisfied that Mr. Dershowitz fulfils the specific qualification requirements of Rule 44 of the Rules;

CONSIDERING that the Registrar is satisfied that the conditions for admission of counsel under Rule 44(A) of the Rules are fulfilled;

NOTING Mr. Dershowitz's obligations under the Statute, the Rules, and in particular Rule 44(C) thereof, and the Code of Conduct;

HEREBY DECIDES pursuant to Rule 44(A) of the Rules, to admit Mr. Dershowitz to represent the Accused before the Tribunal in accordance with the parameters of the Appeals Chamber Decision of 28 February 2008.


John Hecking
Deputy Registrar


Dated this 4th day of April 2008,
At The Hague,
The Netherlands.