

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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TÉLÉPHONE: 31 70 512-5000
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D 6212 - D 5211
21 October 2008

Case No. IT-98-32/1-T
Prosecutor v. Milan Lukić

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 ("Rules"), and in particular Rules 44 and 45 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 7 and 11(B) thereof;

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

NOTING that Mr. Milan Lukić ("Accused") was transferred to the seat of the Tribunal on 21 February 2006, and that his initial appearance was held on 24 February 2006;

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

CONSIDERING that on 1 March 2006 the Accused submitted a Declaration of Means;

NOTING that on 23 February 2006, at the request of the Accused and pursuant to Rule 62(B) of the Rules, the Registrar assigned Mr. Michael Karnavas, attorney at law from the United States, as duty counsel to the Accused for the purposes of his initial appearance and for such other matters as necessary until replacement counsel is assigned;

CONSIDERING that on 20 March 2006, the Registry informed the Accused that Mr. Karnavas could not be assigned as his permanent counsel due to a scheduling conflict;

CONSIDERING that on 6 April 2006, acting pursuant to Article 11(B) of the Directive, the Deputy Registrar assigned Mr. Alan Yatvin, attorney at law from the United States, as 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 Mr. Yatvin's assignment as counsel to the Accused was extended on three occasions, on 16 August 2006, 22 November 2006 and 9 March 2007, in order to ensure that the Accused's right to counsel is not affected while the Registry conducts its inquiry into the Accused's financial means;

CONSIDERING that on 5 December 2007, pursuant to Article 20 of the Directive and without prejudice to Article 19(B) of the Directive, the Registrar withdrew the assignment of Mr. Yatvin, and assigned Mr. Bojan Sulejić as counsel to the Accused;

CONSIDERING that on 10 March 2008, upon a request of Mr. Sulejić, the Registrar assigned Mr. Jason Alarid as co-counsel to Mr. Sulejić;

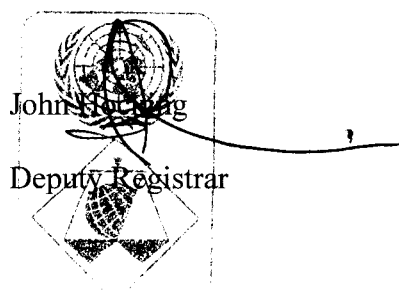
CONSIDERING that on 12 June 2008, at the request of the Accused and Mr. Sulejić, and in accordance with Article 11(B) of the Directive, the Deputy Registrar exchanged the positions of Mr. Sulejić and Mr. Alarid, and re-assigned Mr. Alarid as lead-counsel to the Accused, and Mr. Sulejić as co-counsel to Mr. Alarid for a period of 120 days;

NOTING that on 4 July 2008, the Deputy Registrar withdrew the assignment of Mr. Sulejić in accordance with Article 20(A)(ii) of the Directive;

CONSIDERING that the Registry's inquiry into the Accused's ability to remunerate counsel is not yet complete;

CONSIDERING that it is necessary, in order to ensure that the Accused's right to counsel is not affected while the Registry conducts its inquiry, to extend Mr. Alarid's assignment as counsel;

HEREBY DECIDES to extend Mr. Alarid's assignment as counsel to the Accused for an additional period of 120 days, effective as of 12 October 2008.


John H. King
Deputy Registrar

Dated this 20th day of October 2008
At The Hague,
The Netherlands.