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D140-D139  
15 AUGUST 2007

Case No. IT-05-87/1-I

*Prosecutor v. Vlastimir Đorđević*

PUBLIC

## DECISION

## THE 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, 45 and 62(B) 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 8, 11(B), 14(B), 16(E) and 16(F) thereof;

**NOTING** the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.2) ("Code of Conduct"), and in particular Articles 9 and 14 thereof;

**NOTING** that Mr. Vlastimir Đorđević ("Accused") was transferred to the seat of the Tribunal on 17 June 2007, and that his first initial appearance was held on 19 June 2007 and his further initial appearance was held on 16 July 2007;

**NOTING** that on 19 June 2007, at the request of the Accused and pursuant to Rule 45(C) of the Rules, the Registrar assigned Ms. Jelena Nikolić, attorney at law from Belgrade, as duty counsel to the Accused for the purposes of his initial appearance and for such other matters as necessary until a permanent counsel is assigned;

**CONSIDERING** that on 18 July 2007, the Accused 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, and requested the assignment of Mr. Veljko Đurđić as his lead counsel;

**CONSIDERING** that on 23 July 2007, the Registry informed the Accused that Mr. Đurđić could not be assigned as his lead counsel due to the fact that Mr. Đurđić did not meet the requirements set out in Rule 45 of the Rules, and more specifically, he could not show that he possessed written and oral proficiency in one of the two working languages of the Tribunal;

**CONSIDERING** that on 14 August 2007, the Accused requested the Registry to assign Mr. Dragoljub Đorđević, attorney at law from Belgrade, as lead counsel to him;

**CONSIDERING** that Mr. Đorđević is a member in good standing of the Association of Defence Counsel and is currently on the Rule 45 list of counsel eligible to represent indigent suspects and accused and has indicated his willingness to represent the Accused;

**CONSIDERING** that the Registry has not yet determined whether or to what extent the Accused is able to remunerate counsel;

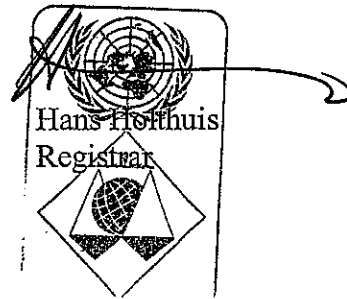
**CONSIDERING** that in accordance with Article 11(B) of the Directive, the Registrar may assign counsel to an accused for a period of 120 days to ensure that an accused's right to counsel is not affected while the Registry examines his ability to remunerate counsel;

**CONSIDERING** that in this case it is necessary to assign counsel to the Accused pursuant to Article 11(B) to ensure that his right to counsel is not affected while the Registry assesses his ability to remunerate counsel;

**HEREBY DECIDES** to assign Mr. Đorđević as counsel to the Accused for a period of 120 days pursuant to Article 11(B) of the Directive, effective as of the date of this decision;

**DECIDES** that the assignment of Ms. Nikolić as duty counsel ceases as of the date of this decision;

**DIRECTS** Ms. Nikolić to hand over to Mr. Đorđević any case-related materials she received during her assignment as duty counsel, in accordance with her duty under Article 9(D) of the Code of Conduct.



Dated this fifteenth day of August 2007  
At The Hague,  
The Netherlands.