

INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIACHURCHILLPLEIN, 1. P.O. BOX 13888  
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POUR L'EX-YOUGOSLAVIECHURCHILLPLEIN, 1. B.P. 13888  
2501 EW LA HAYE, PAYS-BAS  
TÉLÉPHONE: 31 70 512-5000  
TÉLÉCOPIE: 31 70 512-8637**Case No. IT-95-5/18-R77.3*****In the Contempt Case of Radislav Krstić*****PUBLIC****DECISION****THE DEPUTY REGISTRAR,**

**NOTING** the Statute of the Tribunal adopted by the Security Council under Resolution 827 (1993), as subsequently amended, and in particular Article 21 thereof;

**NOTING** the Rules of Procedure and Evidence 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 the Assignment of Defence Counsel 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 adopted by the Tribunal on 12 June 1997, as subsequently amended;

**CONSIDERING** the Order in Lieu of Indictment issued on 27 March 2013,<sup>1</sup> charging Mr. Radislav Krstić (“Accused”) with contempt of the Tribunal punishable under Rule 77(A) and (G) of the Rules;

**CONSIDERING** that the Accused’s initial appearance is scheduled for 4 April 2013;<sup>2</sup>

**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 is entitled to assigned counsel in accordance with Rule 45 of the Rules if that person satisfies the criteria for the determination of indigence;

**NOTING** 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

<sup>1</sup> *In the Contempt Case of Radislav Krstić*, Case No. IT-95-5/18-R77.3, public Order in Lieu of Indictment, 27 March 2013.

<sup>2</sup> *In the Contempt Case of Radislav Krstić*, Case No. IT-95-5/18-R77.3, public Scheduling Order for Initial Appearance, 27 March 2013.

Rules, and that Rule 62(B) of the Rules enables the Registrar to assign duty counsel for this purpose;

**CONSIDERING** that Mr. Tomislav Višnjić, Attorney at Law from the Republic of Serbia is on the list of duty counsel envisaged in Rule 45(C) of the Rules and has agreed to represent the Accused as duty counsel;

**HEREBY DECIDES**, pursuant to Rule 62(B) of the Rules and Article 16(H) of the Directive, to assign Mr. Višnjić 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 assigned, effective as of the date of this decision.

Kate Mackintosh  
  
Deputy Registrar

Dated this 3<sup>rd</sup> day of April 2013  
At The Hague,  
The Netherlands.