

INTERNATIONAL CRIMINAL TRIBUNAL
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Prosecutor v. Ratko Mladić
Case No. IT-09-92-T

DECISION**PUBLIC****THE REGISTRAR,**

NOTING the Statute of the Tribunal adopted by the Security Council on 25 May 1993 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 and 45 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 16(C) and 20(A)(ii) 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 that Mr. Ratko Mladić (“Accused”) was transferred to the seat of the Tribunal on 31 May 2011 and that on 1 June 2011, Mr. Aleksandar Aleksić was assigned as duty counsel to the Accused for the purpose of the initial appearance and for such other matters for which legal representation was necessary until a permanent counsel was assigned;

CONSIDERING that on 23 June 2011, the Accused applied for the assignment of Tribunal-paid counsel pursuant to Articles 7 and 8 of the Directive;

CONSIDERING that on 22 July 2011, in accordance with Article 11(B) of the Directive, and at the Accused’s request, the Registrar assigned Mr. Branko Lukić as counsel to the Accused for a period for 120 days pending the Registry’s inquiry into the Accused’s means and that this temporary assignment was extended on 18 November 2011, 16 March, 13 July and 8 November 2012 and 8 January 2013;

CONSIDERING that on 23 February 2012, in accordance with Article 16(D) of the Directive, the Registrar assigned Mr. Miodrag Stojanović as co-counsel to Mr. Lukić and that this temporary assignment was extended on 13 July and 8 November 2012 and 8 January 2013;

CONSIDERING that on 31 January 2013, the Registrar found the Accused partially indigent and permanently assigned Mr. Lukić as counsel to the Accused and Mr. Stojanović as co-counsel to Mr. Lukić;

CONSIDERING that on 17 January 2017, Mr. Lukić requested the Registrar to withdraw his co-counsel, Mr. Stojanović, and to assign Mr. Dragan Ivetić, attorney-at-law from the United States of America, in his stead;

NOTING that pursuant to Article 20(A)(ii) of the Directive, the Registrar may, in the interests of justice, withdraw the assignment of co-counsel at the request of lead counsel;

CONSIDERING Mr. Ivetić's substantial involvement in the Accused's case as legal consultant since 2012 and considering the current stage of the proceedings, the Registrar is satisfied that the replacement of Mr. Stojanović by Mr. Ivetić as co-counsel would not negatively impact the interests of the Accused or result in a disruption of the current proceedings;

CONSIDERING that, unlike Mr. Stojanović, Mr. Ivetić is located in The Hague, which would facilitate regular privileged and in person client-counsel communications;

CONSIDERING further that Mr. Stojanović will remain part of the defence team as a legal consultant, which will ensure his continued involvement in the case against the Accused;

CONSIDERING that Mr. Ivetić is admitted to the Tribunal's list of counsel eligible for assignment to indigent suspects and accused pursuant to Rule 45 of the Rules;

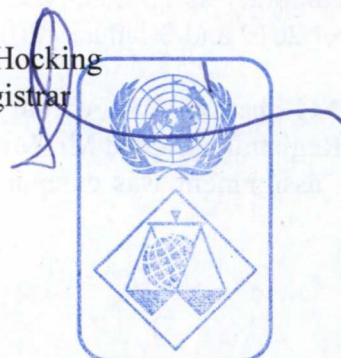
CONSIDERING that Mr. Ivetić was previously assigned as co-counsel in the cases against Messrs Milan Lukić (IT-98-32/1), Dušan Fuštar (IT-02-65) and Sreten Lukić (IT-05-87) in proceedings before the Tribunal;

CONSIDERING that the Registrar is satisfied that there is no potential or actual conflict of interest between Mr. Ivetić's former assignments and his representation of the Accused;

CONSIDERING that on the basis of the foregoing information, the Registrar is satisfied that the interests of justice would be served by granting counsel's request and allowing the withdrawal of Mr. Stojanović and the assignment Mr. Ivetić as co-counsel in his stead;

HEREBY DECIDES to withdraw the assignment of Mr. Miodrag Stojanović as co-counsel to Mr. Branko Lukić and to assign Mr. Dragan Ivetić as co-counsel to Mr. Lukić effective as of the date of this Decision.

John Hocking
Registrar



Dated this 19th day of January 2017,
At The Hague,
The Netherlands.