



INTERNATIONAL CRIMINAL TRIBUNAL
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POUR L'EX-YOUGOSLAVIE
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Prosecutor v. Stojan Župljanin
Case No. IT-08-91-T

DECISION
PUBLIC

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 the Assignment of Defence Counsel as adopted by the Tribunal on 28 July 1994, as subsequently amended (“Directive”), and in particular Articles 14 and 16 thereof;

NOTING the Code of Professional Conduct for Counsel Appearing Before the International Tribunal (IT/125 REV.3) (“Code of Conduct”);

NOTING that Mr. Stojan Župljanin (“Accused”) was transferred to the seat of the Tribunal on 21 June 2008, that his initial appearance took place on 23 June 2008, and his further initial appearance took place on 21 July 2008;

NOTING that on 18 July 2008, the Deputy Registrar assigned Mr. Tomislav Višnjić as temporary counsel to the Accused in accordance with Article 11(B) of the Directive, and thereafter, extended his temporary assignment on 19 November 2008 and 3 April 2009, for a period of 120 days, respectively;

NOTING that on 18 August 2009, the Registrar withdrew the assignment of Mr. Višnjić as Lead Counsel pursuant to Article 20 of the Directive, assigned Mr. Igor Pantelić as replacement Lead Counsel to the Accused and assigned Mr. Dragan Krgović as Co-counsel;

CONSIDERING that on 31 March 2010, the Accused requested the Registry to exchange the positions of his counsel and thereafter, both Mr. Pantelić and Mr. Krgović requested to exchange positions on the Accused’s defence team setting out reasons in correspondence dated 14 May 2010;

NOTING that on 23 July 2010, the Deputy Registrar withdrew the assignment of Mr. Pantelić as Lead Counsel, assigned Mr. Krgović as replacement Lead Counsel to the Accused and reassigned Mr. Pantelić as Co-counsel;

CONSIDERING that on, 26 November 2010, Mr. Krgović requested the withdrawal of his Co-counsel Mr. Pantelić and the assignment of Mr. Aleksandar Aleksić, Attorney at Law from Belgrade, as replacement Co-counsel;

CONSIDERING that on the basis of the information provided by the Lead Counsel, the Registrar is satisfied that good cause has been shown to warrant the replacement of Co-counsel Mr. Pantelić in this case;

NOTING Articles 20(A)(ii) and 20(E) of the Directive, which provide that in the interests of justice, the Registrar may withdraw the assignment of Co-counsel at the request of Lead Counsel and assign replacement Counsel;

CONSIDERING that Mr. Aleksandar Aleksić was assigned as a Legal Consultant to the Defence team of the Accused as of 20 August 2010, in accordance with Article 16(E) of the Directive;

CONSIDERING that the Registrar is satisfied, based on the information provided by Lead Counsel, that Mr. Aleksić is sufficiently prepared to immediately take over the role of Co-counsel in this case, which is currently in the trial phase;

CONSIDERING that Mr. Aleksić is on the Tribunal's list of Counsel eligible for assignment to indigent Suspects and Accused under Rule 45 of the Rules, and has indicated his willingness to be assigned as Co-counsel in the Accused's case;

CONSIDERING that Mr. Aleksić is assigned as Co-counsel to Mr. Nebojša Pavković (Case No IT-05-87) before the Tribunal, that the case of Mr. Pavković is currently in Appeal before the Tribunal;

CONSIDERING that the Registry is satisfied in accordance with Article 16(G)(ii) of the Directive that the assignment of Mr. Aleksić to both cases presents no scheduling conflict and no potential or actual conflict of interest, and that the assignment would not otherwise prejudice the defence of either accused, or the integrity of the proceedings;

CONSIDERING that both the Accused and Mr. Pavković have consented in writing to the dual assignment of Mr. Aleksić;

FINDING that the interests of justice would be served in allowing the replacement of Co-counsel under these circumstances;

HEREBY DECIDES to withdraw the assignment of Mr. Igor Pantelić and to assign Mr. Aleksandar Aleksić as Co-counsel to Mr. Stojan Župljanin, effective as of the date of this Decision;

DIRECTS Mr. Pantelić, in accordance with Article 9(D) of the Code of Conduct, to surrender to Mr. Aleksić any case-related materials he received during his assignment as Co-counsel.



Ken Roberts
Deputy Registrar

Dated this 22nd day of February 2011
At The Hague,
The Netherlands.