



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-04-79-PT  
Date: 8 May 2006  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Krister Thelin, Pre-Trial Judge

**Registrar:** Mr. Hans Holthuis

**Order of:**

**PROSECUTOR**

v.

**MIĆO STANIŠIĆ**

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**ORDER ON URGENT MOTION TO WITHDRAW AS PRO  
BONO COUNSEL**

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**The Office of the Prosecutor:**

Mr. Marks Moore  
Ms. Anna Richterova

**Counsel for the Accused**

Mr. Stevo Bezbradica

**Former Counsel for the Accused:**

Mr. Branko Lukić

I, Judge Krister Thelin, Judge at the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (“Tribunal”) and Pre-Trial Judge in these proceedings;

**BEING SEIZED OF** the “Motion to Withdraw as Pro Bono Counsel” filed on 31 March 2006 (“Motion”), whereby former counsel for the accused Mićo Stanišić, Mr Branko Lukić, requests leave to withdraw as *pro bono* counsel for Mićo Stanišić pursuant to Article 9(c) of the Code of Professional Conduct for Counsel Appearing before the International Tribunal (“Code of Professional Conduct for Counsel”);<sup>1</sup>

**NOTING** that, in response to a Pre-Trial Chamber order<sup>2</sup>, the Registry filed a submission stating that in accordance to Article 9(c) of the Code of Professional Conduct for Counsel, Mr Branko Lukić cannot withdraw as the counsel for the accused Mićo Stanišić unless one of the conditions set out in Article 9(c) of the Code of Professional Conduct for Counsel is satisfied;<sup>3</sup>

**NOTING** that Article 9(c) of the Code of Professional Conduct for Counsel provides that “subject to leave from the Chamber, if representation by counsel is to be terminated or withdrawn, counsel shall not do so until a replacement counsel is engaged by the client or assigned by the Registrar, or the client has notified the Registrar in writing of his intention to conduct his own defence”;

**NOTING** that on 5 May 2006, the Deputy Registrar of the Tribunal filed a decision assigning Mr Stevo Bezbradica to replace Mr Branko Lukić as counsel for the accused Mićo Stanišić for a period of 120 days pursuant to Article 11(B) of the Directive on Assignment of Defence Counsel;<sup>4</sup>

**CONSIDERING** that Mr Stevo Bezbradica has been assigned as counsel for Mićo Stanišić by the Registrar, and that, therefore, leave from the Chamber to withdraw Mr Branko Lukić as *pro bono* counsel for Mićo Stanišić is no longer required in accordance to Article 9(c) of the Code of Professional Conduct for Counsel;

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence (“Rules”);

**HEREBY DETERMINE** that the issue is moot, and therefore **DISMISS** the Motion,

<sup>1</sup> Code of Professional Conduct For Counsel Appearing Before The International Tribunal, as amended on 12 July 2002 (IT/125 Rev.1).

<sup>2</sup> Order to Registry to File a Submission on Motion to Withdraw as *Pro Bono* Counsel, 6 April 2006.

<sup>3</sup> Registry Submission pursuant to Rule 33(B) of the Rules of Procedure and Evidence on Branko Lukić’s 3 April 2006 Motion to Withdraw as *Pro Bono* Counsel, 13 April 2006.

<sup>4</sup> Directive on Assignment of Counsel, as amended on 28 July 2004 (IT/73/Rev. 10).


**AND REMIND** the parties, in particular assigned counsel, Mr Stevo Bezbradica, for the accused Mićo Stanišić, of the established Pre-Trial Work plan adopted in accordance to Rule 65ter (D)(ii) of the Rules, which sets out the obligations of the parties and the deadline for the implementation of these obligations.<sup>5</sup>

Done in English and French, the English version being authoritative.

Dated this eighth day of May 2006

At The Hague,

The Netherlands

  
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**Krister Thelin**  
**Pre-Trial Judge**

[Seal of the Tribunal]

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<sup>5</sup> Status Conference, 6 July 2005 pages 34-35; See Pre-Trial Work plan attached to the instant Order (“Attachment”).

**ATTACHMENT**

## PRE-TRIAL WORK PLAN

<b>Stage 1</b>	
Confirmation of the Indictment	25 February 2005
Arrival of the Accused at UNDU	11 March 2005
Order assigning case to Trial Chamber II	11 March 2005
Initial appearance	17 March 2005
Order designating Judge Thelin as pre-trial judge	21 March 2005
Branko Lukić's Power of attorney filed	11 April 2005
Disclosure of Rule 66(A)(i) material by OTP	18 April 2005
Preliminary motions by Defence within 30 days of disclosure of material supporting the Indictment (Rule 72)	16 May 2005
First <i>65ter</i> meeting	5 July 2005
First Status Conference (Rule 65 <i>bis</i> )	6 July 2005
<b>Stage 2</b>	
Disclosure of Rule 66(A)(ii) material	April 2006
Agreed facts (Rule 65 <i>ter</i> (H))-Prosecution to propose a list	April 2006
Disclosure Rule 68(i) material and EDS (Rule 68(ii))	Ongoing
Defence notification of alibi or any special defence (Rule 67(A))	July 2006
Agreed facts (Rule 65 <i>ter</i> (H))- finalization of discussions	July 2006
Regular <i>65ter</i> meeting	Every 120 days
Status conference	Every 120 days
<b>Stage 3</b>	
Scheduling Order relating to pre-trial briefs and pre-trial conference	September 2006
Pre-Trial Brief Prosecution (Rule 65 <i>ter</i> (E))	November 2006
Pre-Trial Brief Defence (Rule 65 <i>ter</i> (F))	December 2006
Pre-Trial Conference (Rule 73 <i>bis</i> )	January 2007
Start of trial	t.b.d.