Defence counsel in International criminal law

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BIBLIOGRAPHY

Literature

'An Historical Argument for the Right to Counsel during Police Interrogation', 73 Yale Law Journal (1964), May 1964, pp. 1000-1057

Ackerman, J.E.

Ambos, K.
'Der Europäische Gerichtshof für Menschenrechte und die Verfahrensrechte. Waffengleichheit, partizipatorisches Vorverfahren und Art. 6 EMRK', 115 ZStW (2003), pp. 583-637

Ambos, K.

Arbour, L.

Arbour, L.

Armbrüster, K.
Die Entwicklung der Verteidigung in Strafsachen (Berlin: Duncker & Humblot, 1980)

Astaing, A. and Clément, G.
'Les "Muets Volontaires" dans la Procédure Pénale Française de l'Epoque Moderne et Contemporaine', 70 The Legal History Review (2002), 291-316

Bassiouni, M.C.

Beresford, S.
'The International Criminal Tribunal for the Former Yugoslavia and the Right to Legal Aid and Assistance', 2 The International Journal of Human Rights (1998), pp. 49-65

Bergsmo, M. and Harhoff, F.

Bitter, J.B.

Boed, R.
Bohlander, M.
'A silly question? Court sanctions against defence counsel for trial misconduct', 10 Criminal Law Forum (1999), pp. 467-504

Bohlander, M., Boed, R. and Wilson, R. J.

Bohlander, M.

Brindle, M. and Dehn, G.
'Confidence, Public Interest, the Lawyer', in Cranston, Legal Ethics and Professional Responsibility (Oxford: Clarendon Press, 1995), pp. 115-130

Buismar, C., Gumpert, B. and Hallers, M.

Bull, H.

Calvo-Goller, K.N.

Cassese, A.

Combs, N.A.

Combs, N.A.

Curtis, D.E. and Resnik, J.

Damaška, M.R.

Damaška, M.R.

Damaška, M.R.
'Assignment of Counsel and Perceptions of Fairness', 3 JICJ (2005), pp. 3-8

Davis, E.A.

Destexhe, A. and Foret, M. (eds)
De Nuremberg à La Haye et Arusha (Brussels: Bruylant, 1997)

Dixon, R. and Demirdjian, A.
'Advising Defendants about Guilty Pleas before International Courts', 3 JICJ (2005), pp. 680 - 694


Dixon, R. and Khan, K.A.A.

Ellis, M.S.

Ellis, M.S.

Eser, A.

Fairlie, M.

Findlay, M. and Henham, R.J.
Transforming International Criminal Justice: Retributive and Restorative Justice in the Trial Process (Cullompton, UK; Portland, Or.: Willan, 2005)

Fisher, G.

Fletcher, G.P.

Fox, L.J., McCready Higgins, N. and Hiliker, D.B.

Freedman, M.H. and Smith, A.
Understanding Lawyers' Ethics (Third Ed.), (Newark; San Francisco; Charlottesville: LexisNexis, 2004)

Gaetke, E.R.

Glasius, M.
The International Criminal Court: a Global Civil Society Achievement (London: Routledge, 2006)

Goldstein, A.S.

Greaves, M.

Groulx, E.

Hart, H.L.A.

Haveman, R., Kavran, O. and Nichols, J. (eds)

Haveman, R.
‘De dwangverdediging van Milošević’, Strafblad (2005), pp. 204-212

W. Hawkins, A Treatise of the Pleas of the Crown: or A System of the Principal Matters Relating to that Subject, Digested under their Proper Heads. Vol. II (London: In the Savoy, 1721)

Henham, R.

Henham, R. and Drumbl, M.

Howland, T. and Calathes, W.

Jørgensen, N.H.B.J.

Kleffner, J.K.

Koskenniemi, M.

Knoops, G.-J.A.

Langbein, J.H.
The Origins of Adversary Criminal Trial (Paperback), (New York: Oxford University Press, 2005)

Langbein, J.H.

Langer, M.

Lombardi, G.

Luban, D.

McCary, M.

McIntyre, G.

McMorrow, J.A.

Mettreaux, G. and Čengić, A.

K.L.K. Miller

Minkjan, E.E.
'Commissie Herziening Gedragsregels geïnstalleerd', *Advocatenblad* (1990), p. 174

Morris, V. and Scharf, M.P.

Morrison, H.
‘Practice at the ad hoc Tribunals for the former Yugoslavia and Rwanda’, in Martine Hallers (ed), *The position of the defence at the International Criminal Court and the role of the Netherlands as the host state* (Amsterdam: Rozenberg, 2002)

Mundis, D.A.

Nagorcka, F., Stanton, M. and Wilson, M.

Negri, S.

Nicolson, D. and Webb, J.S.
Nowak, M.
U.N. Covenant on Civil and Political Rights: CCPR commentary (2nd, rev.), (Kehl, Germany [etc.]: Engel, 2005)

Ntanda Nsereko, D.D.

O’Dair, R.

Ogetto, K.

Van Oosterhout, B.
‘Het interview. Wladimiroff’, 34 Intermediair, 21 August 2003

Oosthuizen, G.

Orie, A.M.M.

Orie, A.M.M.

Packer, H.L.
The Limits of the Criminal Sanction (Stanford, Calif.: Stanford University Press, 1968)

Pannick, D.
Advocates (Oxford: Oxford University Press, 1992)

Plachta, M.

Raab, D.
‘Evaluating the ICTY and its Completion Strategy. Efforts to Achieve Accountability for War Crimes and their Tribunals’, 3 JICJ (2005), pp. 82-102

Rawls, J. and Kelly, E.

Rhode, D.L. and Luban, D.
Legal Ethics (Third Ed.), (New York, N.Y.: Foundation Press, 2001)

Robinson, P.

Rohde, C.

Röling, B.V.A.

Röling, B.V.A. and Rüter, C.F. (eds)

De Roos, Th.A.
Het tuchtrecht voor advocaten, in Handboek Strafzaken (Deventer: Gouda Quint)

Röttgering, A.E.M. and Franken, A.A.
Counsel in Pre-Trial Investigations (De raadsman in het vooronderzoek), in Prakken and Spronken (ed), Handboek verdediging (Deventer: Kluwer, 2003), pp. 199-279

Safferling, C.J.M.

Salter, M. and Eastwood, M.
'Negotiating Nolle Prosequi at Nuremberg: The Case of Captain Zimmer', 3 JICJ (2005), pp. 649-665

Scharf, M.P.

Scharf, M.P.
'Do Former Leaders Have an International Right to Self-Representation in War Crimes Trials?', 20 Ohio State Journal on Dispute Resolution (2005), pp. 3-41

Schrag, M.

Schrag, M.

Simon, W.H.

Skilbeck, R.

Van Sliedregt, E.

Sluiter, G.K.
Sluiter, G.K.

Smith, B.A.

Spaniol, M.
The Right to Assistance of Defence Counsel under the Constitution and under the European Convention on Human Rights (Das Recht auf Verteidigerbeistand im Grundgesetz und in der Europäischen Menschenrechtskonvention) (Berlin: Duncker & Humblot, 1990)

Spronken, T.N.M.B.
Defence. A Study into the Regulation of Professional Conduct of Advocates in Criminal Cases (Verdediging. Een onderzoek naar de normering van het optreden van advocaten in strafzaken) (Deventer: Gouda Quint, 2001)

Spronken, T.N.M.B.

Spronken, T.N.M.B. and Prakken, E.
‘Foundations of the Right to a Defence (Grondslagen van het recht op verdediging)’, in Brants, Mevis and Prakken (eds), Legitieme strafvordering. Rechten van de mens als inspiratie in de 21e eeuw (Antwerpen: Intersentia Rechtswetenschappen, 2001), pp. 57-74

Spronken, T.N.M.B. and Rayar, L.

Swart, A.H.J.
‘Damaška and the Faces of International Criminal Justice’, 6 JICJ (2008), pp. 87-114

Temminck Tuinstra, J.P.W.

Temminck Tuinstra, J.P.W.

Thoreau, H.D.

Thornton, A.

Tieger, A. and Shin, M.
'Plea Agreements in the ICTY: Purpose, Effects and Propriety', 3 JICJ (2005), pp. 666-679

Tochilovsky, V.

Tolbert, D.

Tolbert, D.

Tolbert, D.
'Reflections on the ICTY Registry', 2 JICJ (2004), pp. 480-485

Tolbert, D. and Rydberg, Å.

Van Creveld, M.L.

Warrell, H.
'Defence Teams Demand Equality', IWPR Tribunal Update No. 435 (2005), 23 December 2005

Wasek-Wiaderek, M.

Wilkins, D.B.

Wilson, R.A.
'Judging History: The Historical Record of the International Criminal Tribunal for the Former Yugoslavia', 27 Human Rights Quarterly (2005), pp. 908–942

Wilson, R.J.

Van der Wilt, H.G.
'Joint Criminal Enterprise. Possibilities and Limitations', 5 JICJ (2007), pp. 91-108

Zahar, A. and Sluiter, G.

Zappalà, S.

Zappalà, S.
'The Prosecutor's Duty to Disclose Exculpatory Materials and the Recent Amendment to Rule 68 ICTY RPE', 2 JICJ (2004), pp. 620-630

Zappalà, S.
Zappalà, S.

Reports

- ICTY Third Annual Report (UN Doc. A/51/292), 16 August 1996
- ICTY Fourth Annual Report (UN Doc. A/52/375), 7 August 1997
- ICTY Sixth Annual Report (UN Doc. A/54/187), 25 August 1999
- ICTY Ninth Annual Report (UN Doc. A/59/215), 13 August 2004
- ICTY Tenth Annual Report (UN Doc. A/58/297), 20 August 2003
- ICTY Eleventh Annual Report (UN Doc A/ 59/215), 16 August 2004
- ICTR Second Annual Report (UN Doc. A/52/582), 6 June 1997
- ICTR Fourth Annual Report (UN Doc A/54/315), 7 September 1999
- ICTR Fifth Annual Report (UN Doc. A/55/435), 2 October 2000
- ICTR Sixth Annual Report (UN Doc. A/56/351), 31 July 2001
- ICTR Ninth Annual Report (UN Doc. A/59/183), 27 July 2004
- ICTR 10th Annual Report (UN Doc. A/60/229), 15 August 2005
- Sylvia de Bertodano, Report on Defence for the Special Court for Sierra Leone, 28 February 2003, available from www.specialcourt.org (Bertodano Report)
- Note by the Secretariat on the establishment of an international criminal bar (UN Doc. ICC-ASP/2/L.1), Annex Report of the focal point appointed by the President of the Assembly on issues related to an international criminal bar, 12 September 2003
- Report on the Situation of Defence Counsels Practising before the International Tribunal, Address by Mr. Stéphane Bourgon, President of the ADC-ICTY, Before the Judges Plenary Session, 28 July 2004
- Report to the Assembly of States Parties on options for ensuring adequate defence counsel for accused persons (ICC-ASP/3/16), 17 August 2004 (Report to the Assembly of States Parties)

Miscellaneous

- Office of the High Commissioner for Human Rights, General Comment 13, Equality before the courts and the right to a fair and public hearing by an independent court established by law (Article 14), 13 April 1984 (CCPR General Comment No. 13), available from www.unhchr.ch
- Jonathan Friendly, ‘Von Bulow jury issues acquittal on all charges’, NY Times, 11 June 1985
- Contributions of the Chambers of the International Criminal Tribunal for the Former Yugoslavia Submitted to the 26 July - 13 August 1999 Preparatory


- ICTY Weekly Press Briefing of 3 March 2004


- Tenth Diplomatic Briefing, Information Package, 19 June 2007, available from the ICC website
Table of Cases

ICTY

Aleksovski (Case No. IT-95-14/1)
- ICTY Tr. Ch., Décision portant condamnation pour outrage au Tribunal (in French), Aleksovski (Case No. IT-95-14/1-T), 11 December 1998
- ICTY App. Ch., Decision on Prosecutor's Appeal on Admissibility of Evidence, Aleksovski (Case No. IT-95-14/1-AR73), 16 February 1999 (Decision on Prosecutor's Appeal)
- ICTY App. Ch., Judgement, Aleksovski (Case No. IT-95-14/1-A), 24 March 2000
- ICTY App. Ch., Judgment on Appeal by Anto Nobilo against Finding of Contempt, Aleksovski (Case No. IT-95-14/1), 30 May 2001

Bala (Case No. IT-03-66)
- ICTY Dep. Reg., Decision, Bala (Case No. IT-03-66-PT), 12 March 2004
- ICTY Dep. Reg., Decision, Bala (Case No. IT-03-66-PT), 7 July 2004

Blagojević
- ICTY Tr. Ch. I, Section A, Decision on Independent Counsel for Vidoje Blagojević's Motion to Instruct the Registrar to Appoint New Lead and Co-Counsel, Blagojević, 3 July 2003
- ICTY App. Ch., Public and Redacted Reasons for Decision on Appeal by Vidoje Blagojević to Replace his Defense Team, Blagojević (Case no. IT-02-60-AR73.4), 7 November 2003

Blaškić (Case No. IT-95-14)
- ICTY Tr. Ch., Decision on the Production of Discovery Materials, Blaškić (Case No. IT-95-14-PT), 27 January 1997
- ICTY Tr. Ch., Order to the Republic of Croatia for the Production of Documents. Opinion by Judge Mohamed Shahabuddeen, Blaškić (Case No. IT-95-14), 21 July 1998

Boškoski (Case No. IT-04-82)
- ICTY Dep. Registrar, Decision, Boškoski (Case No. IT-04-82-PT), 31 January 2007

Brdanin and Talić (Case No. IT-99-36/1)
- ICTY Tr. Ch. II, Decision on Motions by M_ Talić for a Separate Trial and for Leave to file a Reply, Brdanin and Talić (Case No. IT-99-36/1), 9 March 2000
- ICTY Tr. Ch. II, Order on the Standards Governing the Admission of Evidence, Brdanin and Talić (Case No. IT-99-36-T), 15 February 2002
- Decision on Prosecution's Oral Request for the Separation of Trials, Brdanin and Talić (Case No. IT-99-36/1), 20 September 2002
- ICTY Tr. Ch. II, Decision on "Motion for relief from rule 68 violations by the prosecutor and for sanctions to be imposed pursuant to rule 68bis and motion for adjournment while matters affecting justice and a fair trial can be resolved", Brdanin and Župljanin (Case No. IT-99-36), 30 October 2002

Bralo (Case No. IT-95-17)
- ICTY Tr. Ch., Decision on Motion Seeking Review of Registrar's Decision Denying the Assignment of Ms Virginia Lindsay as Co-counsel, Bralo (Case No. IT-95-17-S), 21 September 2005
  Delalić, Mucić, Delić and Landžo (Delalić et al.) (Case No. IT-96-21)
- ICTY Tr. Ch., Decision on Request by Accused Mucić for Assignment of New Counsel, Delalić et al. (Case No. IT-96-21), 24 June 1996
- ICTY Tr. Ch., Order on the Request by Defence Counsel for Zdravko Mucić for Assignment of a New Co-Counsel, Delalić et al. (Case No. IT-96-21), 17 March 1997
- ICTY Tr. Ch., Decision on the Motion on Presentation of Evidence by the Accused, Esad Landžo, Delalić et al. (Case no. IT-96-21), 1 May 1997
- ICTY Tr. Ch.II, Decision on Zdravko Mucić's Motion for the Exclusion of Evidence, Delalić, Mucić, Delić and Landžo (Case No. IT-96-21-Y), 2 September 1997
- ICTY Tr. Ch. II, Decision on the Defence Motion to Exclude Evidence, Delalić, Mucić, Delić and Landžo (Case No. IT-96-21-Y), 2 September 1997
- ICTY Tr. Ch., Decision on the Motion of the Prosecution for Admissibility of Evidence, Delalić et al (Case No. IT-96-21-T), 19 January 1998
- ICTY Tr. Ch., Decision on the Prosecution's Motion for an Order Requiring Advance Disclosure of Witnesses by the Defence, Delalić et al. (Case No. IT-96-21-T), 4 February 1998
- ICTY Tr. Ch., Order, Delalić, Mucić, Delić, and Landžo (Delalić et al.) (Case No. IT-96-21-T), 18 May 1998
- ICTY Tr. Ch., Order, Delalić et al. (Case No. IT-96-21-T), 16 June 1998
- Transcript, Delalić et al. (Case No. IT-96-21), 30 June 1998
- ICTY Tr. Ch., Decision on the Motion by Defendant Delalić Requesting Procedures for Final Determination of the Charges Against Him, Delalić and Delić (Case No. IT-96-21-T), 1 July 1998 (Decision on the Motion)

Deronjić (Case No. IT-02-61)
- ICTY Tr. Ch., Sentencing Judgement, Deronjić (Case No. IT-02-61), 30 March 2004

Djukić (case No. IT-96-20)
- Transcript, Djukić (case No. IT-96-20), 4 March 1996

Erdemović (Case No. IT-96-22)
- ICTY Tr. Ch., Order on the Appointment of Defence Counsel. Order, Erdemović (Case No. IT-96-22-T), 28 May 1996
- ICTY Tr. Ch., Sentencing Judgement, Erdemović (Case No. IT-96-22), 29 November 1996
- ICTY App. Ch., Judgement - Joint Separate Opinion of Judge McDonald and Judge Vohrah, Erdemović (Case No. IT-96-22), 7 October 1997
- ICTY App. Ch., Judgment, Separate and Dissenting Opinion of Judge Cassese, Erdemović (IT-96-22-A), 7 October 1997
- ICTY Tr. Ch., Sentencing Judgement, Erdemović (Case No. IT-96-22-Thiš), 5 March 1998

Furundžija (Case No. IT-95-17/1)
- ICTY Tr.Ch., The Trial Chamber's Formal Complaint to the Prosecutor concerning the Conduct of the Prosecution, Furundžija (Case No. IT-95-17/1), 5 June 1998
- ICTY App. Ch., Judgement, Furundžija (Case No. IT-95-17/1-A), 21 July 2000

Gotovina et al. (Case No. IT-06-90)

- Decision on Interlocutory Appeals against the Trial Chamber's Decision to Amend the Indictment and for Joinder, Gotovina et al. (Case Nos. IT-01-45 and IT-03-73), 25 October 2006

- ICTY Tr. Ch. I, Decision on Conflict of Interest of Attorney Miroslav Šeparović, Gotovina et al. (Case No. IT-06-90-PT), 27 February 2007

- Decision on Finding of Misconduct of Attorney Miroslav Šeparović, Gotovina et al. (Case No. IT-06-90), 6 March 2007 (Decision on Finding of Misconduct)

- ICTY Tr. Ch. I, Decision on request for certification to file interlocutory appeal against trial chamber's decision on conflict of interest of attorney Miroslav Šeparović and on request for certification to file interlocutory appeal against trial chamber's decision on finding of misconduct of attorney Miroslav Šeparović, Gotovina et al. (Case No. IT-06-90), 13 March 2007

- ICTY App. Ch., Decision on Miroslav Šeparović's interlocutory appeal against Trial Chamber's decisions on conflict of interest and finding of misconduct, Gotovina et al. (Case No. IT-06-90), 4 May 2007 (Decision on Miroslav Šeparović’s interlocutory appeal)

Hadžihasanović and Kubura (Case No. IT-01-47)

- ICTY Tr. Ch. II, Decision on Urgent Motion for Ex Parte Oral Hearing on Allocation of Resources to the Defence and Consequences thereof for the Rights of the Accused to a Fair Trial, Hadžihasanović and Kubura (Case No. IT-01-47), 17 June 2003

- ICTY Tr. Ch. II, Decision on Defence Access to EUMM Archives, Hadžihasanović and Kubura (Case No. IT-01-47), 12 September 2003


- ICTY Tr. Ch. II, Decision on Defence Motion for Access to EUMM Archives, Hadžihasanović and Kubura (Case No. IT-01-47), 15 December 2003

- ICTY Tr. Ch. II, Decision on Defence Motion Seeking Clarification of the Trial Chamber's Objective in its Questions Addressed to Witnesses, Hadžihasanović and Kubura (Case No. IT-01-47), 4 February 2005

- ICTY Tr. Ch. II, Decision on the Admissibility of Documents of the Defence of Enver Hadžihasanović, Hadžihasanović and Kubura (IT-01-47), 22 July 2005

Haradinaj et al. (Case No. IT-04-84)

- ICTY Tr. Ch. II, Decision on Prosecution’s Urgent Application for Authorisation to Exceed Page Limit for Responses, Haradinaj et al. (Case No. IT-04-84-PT), 5 May 2005

- ICTY Tr. Ch. II, Further Decision on Lahi Brahimaj’s Motion for Provisional Release, Haradinaj et al. (Case No. IT-04-84-PT), 3 May 2006

- Transcript Haradinaj et al. (Case No. IT-04-84-PT), 1 March 2007
- ICTY Tr. Ch. I, Decision on Notification of Cross-Examination Material, Harrading et al. (Case No. IT-04-84), 31 May 2007

Janković and Stanković (Case No. IT-96-23/2)
- ICTY Tr. Ch., Decision following Registrar's Notification of Radovan Stankovic's Request for Self-Representation, Janković and Stanković (Case No. IT-96-23/2-PT), 19 August 2005 (Decision following Registrar's Notification)

Jelisić (Case No. IT-95-10)
- ICTY Tr. Ch., Judgement, Jelisić (Case No. IT-95-10), 14 December 1999
- ICTY App. Ch., Judgement, Jelisić (Case No. IT-95-10), 5 July 2001

Josip Jović (Case Nos. IT-95-14 & IT-95-14/2-R77)
- ICTY Tr. Ch. III, Trial Judgement, Josip Jović, (Case Nos. IT-95-14 & IT-95-14/2-R77), 30 August 2006
- ICTY App. Ch., Judgement, Josip Jović (Case Nos. IT-95-14 & 14/2-R77-A), 15 March 2007

Kolundžija (Case No. IT-95-8)
- ICTY Tr. Ch., Transcript, Kolundžija (Case No. IT-95-8-PT), 28 September 1999

Kordić and Čerkez (Case No. IT-95-14/2)
- ICTY Tr. Ch., Decision on the Registrar's Withdrawal of the Assignment of Defence Counsel, Kordić and Čerkez (Case No. IT-95-14/2), 3 September 1999 (Decision on the Registrar's Withdrawal)
- ICTY App. Ch., Decision on the Request of the Republic of Croatia for Review of a Binding Order, Kordić and Čerkez (Case No. IT-95-14/2-A), 9 September 1999
- ICTY Tr. Ch., Decision on Defence Motions for Judgement of Acquittal, Kordić and Čerkez (Case No. IT-95-14/2), 6 April 2000
- ICTY Tr. Ch. III, Judgement, Kordić and Čerkez (Case No. IT-95-14/2-T), 26 February 2001
- ICTY App. Ch., Judgement, Kordić and Čerkez (Case No. IT-95-14/2-A), 17 December 2004

Krajišnik (Case No. IT-00-39)
- ICTY Tr. Ch. I, Decision on the Defence's Motion for an Order Setting Aside the Registrar's Decision Declaring Momcilo Krajišnik Partially Indigent for Legal Aid Purposes, Krajišnik (Case No. IT-00-39-PT), 20 January 2004
- Prosecution's Submissions on Self-Representation, Krajišnik (Case No. IT-00-39-T), 31 May 2005
- ICTY Tr. Ch., Reasons for Oral Decision Denying Mr Krajišnik's Request to Proceed Unrepresented by Counsel, Krajišnik (Case No. IT-00-39-T), 18 August 2005 (Reasons for Oral Decision)
- ICTY App. Ch., Decision on "Motion seeking review of the decisions of the Registry in relation to assignment of Counsel", Krajišnik (Case No IT-00-39-A), 29 January 2007

Kunarac et al (Case No. IT-96-23&23/1)
- ICTY Tr. Ch., Decision on Joinder of Trials, Kunarac et al (Case No. IT-96-23&23/1), 9 February 2000
- ICTY Tr. Ch., Decision on the Request of the Accused Radomir Kovac to Allow Mr. Milan Vujin to Appear as Co-Counsel Acting Pro Bono, Kunarac et al. (Case No. IT-96-23&23/1), 14 March 2000
- ICTY Tr. Ch. II, Separate opinion of Judge David Hunt on request by Radomir Kovac to allow Milan Vujin to appear as counsel acting without payment by the Tribunal, Kunarac, Kovac and Vuković (Case No. IT-96-23&23/1), 24 March 2000
- ICTY App. Ch., Judgement, Kunarac et al. (Case No. IT-96-23&23/1-A), 12 June 2002

Kupreškić et al. (Case No. IT-95-16)
- ICTY Tr. Ch., Decision on Communication between the Parties and their Witnesses, Kupreškić et al. (Case No. IT-95-16), 21 September 1998
- ICTY Tr. Ch. II, Decision on the Request of 24 June 1999 by Counsel for the Accused Santic to allow Mr. Mirko Vrdoljak to examine the Defence Witnesses, Kupreškić et al. (Case No. IT-95-16), 25 June 1999
- ICTY Tr. Ch., Decision on the Registrar’s Withdrawal of the Assignment of Defence Counsel, Kupreškić et al. (Case No. IT-95-16), 3 September 1999
- ICTY Tr. Ch. II, Judgement, Kupreškić et al. (Case No. IT-95-16), 14 January 2000

Krstić (Case No. IT-98-33)
- ICTY Tr. Ch., Judgement, Krstić (Case No. IT-98-33-T), 2 August 2001
- ICTY App. Ch., Judgement, Krstić (Case No. IT-98-33-A), 19 April 2004

Kunarac et al. (Case No. IT-96-23&23/1)
- ICTY Tr. Ch., Order for Severance and Combined Case Number, Kunarac et al. (Case No. IT-96-23&23/1), 16 February 2000
- ICTY Tr. Ch. II, Separate opinion of Judge David Hunt on request by Radomir Kovac to allow Milan Vujin to appear as counsel acting without payment by the Tribunal, Kunarac, Kovac and Vuković (Case No. IT-96-23&23/1), 24 March 2000
- ICTY App. Ch., Judgement, Kunarac et al. (Case No. IT-96-23&23/1-A), 12 June 2002

Kvočka et al. (Case No. IT-98-30/1)/ (Case No. IT-97-24)
- ICTY Reg., Decision, Kvočka et al. (Case No. IT-98-30/1), 8 July 2002
- ICTY App. Ch., Decision (Appeals Chamber) on Review of the Registrar’s Decision to Withdraw Legal Aid From Zoran Žigić, Kvočka et al. (Case No. IT-98-30/1), 7 February 2003
- ICTY Pres., Decision on Review of the Registrar’s Decision to Withdraw Legal Aid from Zoran Žigić, Kvočka et al. (Case No. IT-98-30-1-A), 7 February 2003
- ICTY Tr. Ch., Decision on Motion for Joinder of Accused and Concurrent Presentation of Evidence, Kovačević, Kvočka, Radić, and Žigić (Case No. IT-97-24), 14 May 1998 (Decision on Motion for Joinder of Accused)

Limaj et al. (Case No. IT-03-66)
- ICTY Tr. Ch., Decision on Defence Motion on Prosecution Practice of “Proofing” Witnesses, Limaj et al. (Case No. IT-03-66-T), 10 December 2004
- ICTY Dep. Reg., Decision, Limaj et al. (Case No. IT-03-66-T), 10 February 2005

Marijašić and Rebić (Case No. IT-95-14R77.2)
- ICTY App. Ch., Judgement, Marijašić and Rebić (Case No. IT-95-14R77.2-A), 27 September 2006

Martić (Case No. IT-95-11)
- ICTY Tr. Ch., Decision on Appeal against Decision of Registry, Martić (Case No. IT-95-11-PT), 2 August 2002
  Mejakić et al. (Case No. IT-02-65)
- ICTY App. Ch., Decision on Appeal by the Prosecution to Resolve Conflict of Interest Regarding Attorney Jovan Simić, Mejakić et al. (Case No. IT-02-65), 6 October 2004
  Miletic (Case No. IT-05-88)
- ICTY Reg., Miletic (Case No. IT-05-88-PT), 26 September 2005
  Milošević (Case No. IT-02-54)
- ICTY Tr. Ch., Order inviting Designation of Amicus Curiae, Milošević (Case No. IT-02-54-T), 30 August 2001
- ICTY Tr. Ch., Order concerning Amici Curiae, Milošević (Case No. IT-02-54-T), 11 January 2002
- ICTY Tr. Ch., Order, Milošević (Case No. IT-02-54-T), 16 April 2002
- ICTY Tr. Ch., Decision Concerning an Amicus Curiae, Milošević (Case no. IT-02-54), 10 October 2002
- ICTY Reg., Decision, Milošević (Case No. IT-02-54), 11 October 2002
- ICTY Tr. Ch., Reasons for Decision on the Prosecution Motion Concerning Assignment of Counsel, Milošević (Case No. IT-02-54-T), 4 April 2003 (Reasons for Decision on the Prosecution Motion)
- ICTY Tr. Ch., Order Concerning the Preparation and Presentation of the Defence Case, Milošević (Case No. IT-02-54-T), 17 September 2003
- ICTY App. Ch., Dissenting Opinion of Judge David Hunt on Admissibility of Evidence in Chief in the Form of Written Statement, Milošević (Case no. IT-02-54-AR73.4), 21 October 2003
- ICTY App. Ch., Decision on the Interlocutory Appeal by the Amici Curiae against the Trial Chamber Order Concerning the Presentation and Preparation of the Defence Case, Separate Opinion of Judge Shahabuddeen, Milošević (Case No. IT-02-54-AR73.6), 20 January 2004
- ICTY Tr. Ch., Order Rescheduling and Setting the Time Available to Present the Defence Case, Milošević (Case No. IT-02-54), 25 February 2004 (Order Rescheduling and Setting the Time)
- Amici Curiae Submissions in Response to the Trial Chamber's "Further Order on Future Conduct of the Trial Concerning Assignment of Defence Counsel" Dated 6 August 2004, Milošević (Case No. IT-02-54), 13 August 2004 (Amici Curiae Submissions)
- Transcript, Milošević (Case No. IT-02-54), 2 September 2004
- ICTY Tr. Ch., Reasons for Decision on Assignment of Defence Counsel, Milošević (Case No. IT-02-54-T), 22 September 2004 (Reasons for Decision on Assignment)
- ICTY App. Ch., Decision on Interlocutory Appeal of the Trial Chamber’s Decision on the Assignment of Defense Counsel, Milošević (Case No. IT-02-54-AR 73.7), 1 November 2004 (Decision on Interlocutory Appeal)
- ICTY Tr. Ch., Decision on Assigned Counsel's Motion for Withdrawal, Milošević (Case No. IT-02-54-T), 7 December 2004
- ICTY Pres., Decision Affirming the Registrar’s Denial of Assigned Counsel’s Application to Withdraw, Milošević (Case No. IT-02-54), 7 February 2005
- ICTY Tr. Ch., Second Order Recording Use of Time in the Defence Case, Milošević (Case No. IT-02-54-T), 23 March 2005
- ICTY Tr. Ch., Third Order on the Use of Time in the Defence Case and Decision on Prosecution’s Further Submissions on the Recording and Use of Time During the Defence Case, Milošević (Case No. IT-02-54-T), 19 May 2005
- ICTY Tr. Ch., Decision in Relation to Severance, Extension of Time and Rest, Milošević (Case No. IT-02-54-T), 12 December 2005 (Decision in Relation to Severance)
- ICTY Tr. Ch., Order Terminating the Proceedings, Milošević (Case No. IT-02-54-T), 14 March 2006

Milutinović, Ojdanić and Šainović (Case No. IT-05-87)
- ICTY App. Ch., Decision on Interlocutory Appeal on Motion for Additional Funds, Milutinović, Ojdanić and Šainović (Case No. IT-99-37-AR73.2), 13 November 2003 (Decision on Interlocutory Appeal)
- ICTY App. Ch., Decision on Interlocutory Appeal on Motion for Additional Funds, Dissenting Opinion of Judge David Hunt, Milutinović, Ojdanić and Šainović (Case No. IT-05-87), 13 November 2003
- ICTY Tr. Ch., Decision on Prosecution Motion for Joinder, Milutinović, Ojdanić and Šainović (Case No. IT-99-37-PT) and Pavković, Lazarević, Đorđević and Lukić (Case No. IT-03-70-PT), 8 July 2005
- ICTY Tr. Ch., Decision on Second Application of Dragoljub Ojdanić for Binding Orders Pursuant to Rule 54BIS, Milutinović et al. (Case No. IT-05-87-PT), 17 November 2005 (Decision on Second Application)
- ICTY Tr. Ch., Decision on Ojdanić Motion to Prohibit Witness Proofing, Milutinović et al. (Case No. IT-05-87-T), 12 December 2006

Mrkšić et al. (Case No. IT-95-13/1)
- ICTY Tr. Ch. II, Decision on Defence Request for Review of the Registrar’s Decision on the Level of the Case, Mrkšić et al. (Case No. IT-95-13/1-PT ), 3 March 2005 (Decision on the Level of the Case)

Drago Nikolić (Case No. IT-05-88)
- ICTY Reg., Decision, Drago Nikolić (Case No. IT-05-88-PT), 25 November 2005

Momir Nikolić (Case No. IT-02-60/1)
- ICTY Tr. Ch. I Section A, Sentencing Judgement, Momir Nikolić (Case No. IT-02-60/1-S), 2 December 2003
- ICTY App. Ch., Judgement on Sentencing Appeal, Momir Nikolić (Case No. IT-02-60/1-A), 8 March 2006

Orić (Case No. IT-03-68)
- ICTY App. Ch., Interlocutory Decision on Length of Defence Case, Orić (Case No. IT-03-68-T), 20 July 2005

Perišić (Case No. IT-04-81)
- ICTY Dep. Registrar, Decision, Perišić (Case No. IT-04-81 PT), 7 April 2006

Plavšić (Case No. IT-00-39&40/1)
- ICTY Tr. Ch. I, Sentencing Judgement, Plavšić (Case No. IT-00-39&40/1), 27 February 2003
Prlić et al. (Case No. IT-04-74)
- Decision on Request for Appointment of Counsel, Prlić et al. (Case No. IT-04-74), 30 July 2004
- ICTY App. Ch., Decision on Appeal by Bruno Stojić Against Trial Chamber's Decision on Request for Appointment of Counsel, Prlić et al. (Case No. IT-04-74), 24 November 2004
- ICTY Tr. Ch. I, Decision on Defence's Motions for Separate Trials and Severance of Counts, Prlić, Stojić, Praljak, Petković, Ćorić, and Pušić (Case No. IT-04-74), 1 July 2005
- ICTY Tr. Ch. II, Decision on Assignment of Defence Counsel, Prlić, Stojić, Praljak, Petković, Ćorić, and Pušić (Case No. IT-04-74), 15 February 2006
- ICTY App. Ch., Decision on Prosecution Appeal Concerning the Trial Chamber's Ruling Reducing the Prosecution Case, Prlić et al (Case No. IT-04-74-AR73.4), 6 February 2007 (Decision on Prosecution Appeal)
- Transcript, Prlić et al. (Case No. IT-04-74), 7 May 2007
- ICTY Tr. Ch. III, Decision on the Mode of Interrogating Witnesses, Prlić et al. (Case No. IT-04-74), 10 May 2007

Raševic (Case No. IT-97-25/1)
- ICTY Pres., Decision on Assignment of Defence Counsel, Raševic (Case No. IT-97-25/1-PT), 16 October 2003

Šešelj (Case No. IT-03-67)
- ICTY Tr. Ch. II, Decision on Prosecution's Motion for Order Appointing Counsel to Assist Vojislav Šešelj with his Defence, Šešelj (Case No. IT-03-67-PT), 9 May 2003 (Decision on Prosecution's Motion)
- ICTY Tr. Ch., Decision on Motion Number 21, Šešelj (Case No. IT-03-67-PT), 27 October 2003 (Decision on Motion)
- ICTY Tr. Ch. II, Decision on the Accused’s Motion to Re-examine the Decision to Assign Standby Counsel, Šešelj (Case No. IT-03-67-PT), 1 March 2005
- ICTY Tr. Ch. II, Decision on the Accused’s Motion to Re-examine the Decision to Assign Standby Counsel, Dissenting Opinion of Judge Antonetti, Šešelj (Case No. IT-03-67-PT) 1 March 2005
- ICTY App. Ch., Decision on Appeal against the Trial Chamber's Decision on Assignment of Counsel, Šešelj (Case No. IT-03-67-AR73.3), 20 October 2006 (Decision on Appeal)
- ICTY App. Ch., Decision on Appeal against the Trial Chamber's Decision (NO.2) on Assignment of Counsel, Šešelj (Case No. IT-03-67-AR73.4), 8 December 2006

Simić et al (Case No. IT-95-9)
- ICTY Tr. Ch., Decision on the Prosecution Motion to Resolve Conflict of Interest regarding Attorney Borislav Pisarević, Simić et al. (Case No. IT-95-9), 25 March 1999
- ICTY Tr. Ch., Scheduling Order in the Matter of Allegations Against Accused Milan Simić and his Counsel, Simić et al (Case No. IT-95-9-R77), 7 July 1999
- ICTY, Tr. Ch. III, Decision on Simo Zarić’s Application for provisional Release, Simić et al. (Case No. IT-95-9), 4 April 2000
- ICTY, Tr. Ch. III, Decision on Miroslav Tadić’s Application for provisional Release, Simić et al. (Case No. IT-95-9), 4 April 2000

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- ICTY, Tr. Ch. III, Decision on Milan Simić's Application for Provisional Release, Simić et al. (Case No. IT-95-9), 29 May 2000
- ICTY Tr. Ch., Judgement in the Matter of Contempt Allegations Against an Accused and His Counsel, Simić et al. (Case No. IT-95-9-R77), 30 June 2000
- Šljivančanin (Case No. IT-95-13/1)
- ICTY Tr. Ch., Decision on Defence Preliminary Motion on the Assignment of Counsel, Mrksić, Radić, Šljivančanin and Dokmanović (Case No. IT-95-13), 30 September 1997 (Decision on Defence Preliminary Motion)
- ICTY Pres., Decision on Assignment of Defence Counsel, Šljivančanin (Case No. IT-95-13/1-PT), 20 August 2003
- Strugar (Case No. IT-01-42)
- ICTY Tr. Ch., Decision of Defence Request for Review of Registrar's Decision and Motion for Suspension of all Time Limits, Strugar (Case No. IT-01-42-PT), 19 August 2003
- Tadić (Case No. IT-94-1)
- ICTY Tr. Ch., Decision on the Defence Motion on the Form of the Indictment, Tadić (Case No. IT-94-1-T), 14 November 1995
- Transcript, Tadić (Case No. IT-94-1), 7 May 1996
- Transcript, Tadić (Case No. IT-94-1), 26 June 1996
- Transcript, Tadić (Case No. IT-94-1), 16 July 1996
- ICTY Tr. Ch., Decision on the Defence Motion on Hearsay, Tadić (Case No. IT-96-1-T), 5 August 1996
- ICTY Tr. Ch., Separate Opinion of Judge Stephen on Prosecution Motion for Production of Defence Witness Statements, Tadić (Case No. IT-96-1-T), 27 November 1996 (Separate Opinion of Judge Stephen)
- ICTY Tr. Ch., Separate Opinion of Judge Vohrah on Prosecution Motion for Production of Defence Witness Statements, Tadić (Case No. IT-94-1), 27 November 1996 (Separate Opinion of Judge Vohrah)
- ICTY Tr. Ch. II, Opinion and Judgment, Tadić (Case No. IT-94-1), 7 May 1997
- ICTY App. Ch., Decision on Appellant's Motion for the Extension of the Time-limit and Admission of Additional Evidence, Tadić (Case No. IT-94-1), 15 October 1998
- ICTY App. Ch., Judgement, Tadić (Case No. IT-94-1-A), 15 July 1999
- ICTY Tr. Ch. II, Sentencing Judgement, Tadić (Case No. IT-94-1-Tbis-R117), 11 November 1999
- ICTY App. Ch., Judgment on Allegations of Contempt against Prior Counsel, Milan Vujin, Tadić (Case No. IT-94-1-A-R77), 31 January 2000 (Judgment on Allegations)
- Todorović (Case No. IT-95-9/1)
- ICTY Tr. Ch., Sentencing Judgement, Todorović (Case No. IT-95-9/1), 31 July 2001

ICTR

Akayesu (Case No. ICTR-96-4)
- ICTR Tr. Ch. I, Issue of Warning against Defence Counsels, Akayesu (Case No. ICTR-96-4-T), 19 March 1998
- ICTR Tr. Ch. I, Judgement, Akayesu (Case No. ICTR-96-4-T), 2 September 1998
- ICTR Tr. Ch., Sentence, Akayesu (Case No. ICTR-96-4-T), 2 October 1998
- ICTR App. Ch., Appeals Chamber Judgement, Akayesu (Case No. ICTR-96-4-A), 1 June 2001

Bagosora et al (Case No. ICTR-98-41)
- ICTR Judge Khan, Dismissal of Indictment, Bagosora & 28 Others (Case No. 98-37-I), 31 March 1998
- ICTR Tr. Ch. III, Decision on the Prosecutor's Motion for Joinder, Bagosora (Case No. ICTR-96-7), Kabiliği and Ntabakuze (Case Nos. ICTR-97-34 and ICTR-97-30) and Nsengiyumwa (Case No. ICTR-96-12), 29 June 2000
- ICTR Reg., Decision to Withdraw the Assignment of Mr. Jean Yaovi Degli as Defence Counsel for Gratien Kabiliği, Bagosora et al. (Case No. ICTR-98-41), 26 October 2004 (Decision to Withdraw the Assignment)
- ICTR Tr. Ch. I, Minutes of Proceedings, Bagosora et al (Case No: ICTR-98-41-T), 20 December 2004
- ICTR Tr. Ch. I, Decision on the Defence Motions for the Reinstatement of Jean Yaovi Degli as Lead Counsel for Gratien Kabiliği, Bagosora et al. (Case No. ICTR-98-41-T), 19 January 2005 (Decision on the Defence Motions for the Reinstatement)
- ICTR Tr. Ch. I, Decision on Admission of Statements of Deceased Witnesses, Bagosora et al. (Case No. ICTR-98-41-T), 19 January 2005
- ICTR Tr. Ch. I, Decision on Request for Private Representation of Gratien Kabiliği, Bagosora et al (Case No. ICTR-98-41-T), 4 March 2005 (Decision on Request for Private Representation)
- ICTR Tr. Ch. I, Decision on Bagosora Defence Request for Court to Direct ICTR Registrar to Attend Kigali on Mission to Witness Signing of Defence Witness Statement(s), Bagosora et al (Case No. ICTR-98-41-T), 20 February 2007

Barayagwiza (Case No: ICTR-97-19)
- ICTR App. Ch., Decision, Barayagwiza (Case No. ICTR-97-19), 3 November 1999
- ICTR Tr. Ch. I, Decision on Defence Counsel Motion to Withdraw, Barayagwiza (Case No. ICTR-97-19-T), 2 November 2000
- ICTR Tr. Ch., Decision on Defence Counsel Motion to Withdraw, Concurring and Separate Opinion of Judge Gunawardana, Barayagwiza (Case No. ICTR-97-19-T), 2 November 2000

Bikindì (Case No. ICTR-01-72)

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- ICTR Reg., Decision Withdrawing the Assignment of Mr. Wilfred N. Nderitu as Lead Counsel for the Accused Simon Bikindi, *Bikindi* (Case No. ICTR-01-72-T), 29 March 2007

*Bizimungu* (Case No. ICTR-99-50-I)
- ICTR Tr. Ch. II, Decision on the Defence Motion to Protect the Applicant's Right to Full Answer and Defence, *Bizimungu* (Case No. ICTR-99-50-I), 15 November 2002

*Kambanda* (Case No. ICTR 97-23)
- ICTR Tr. Ch., Judgement and Sentence, *Kambanda* (Case no. ICTR 97-23-S), 4 September 1998

*Kajelijeli* (Case No. ICTR-98-44A)
- ICTR Tr. Ch. II, Warning to the Prosecutor's Counsels pursuant to Rule 46 (A), *Kajelijeli* (Case No. ICTR-98-44A-T), 25 January 2001

*Kanyabashi et al* (Case No. ICTR-98-42)

*Karemera, Ngirumpatse, and Nzirorera* (Case No. ICTR-98-44)
- ICTR App. Ch., Decision on Counsel’s Appeal from Rule 73(F), *Karemera et al.* (Case No. ICTR-98-44), 9 June 2004
- ICTR App Ch., Decision on Interlocutory Appeals Regarding Participation of Ad Litem Judges, *Karemera et al.* (Case No. ICTR-98-44-AR73.4), 11 June 2004
- ICTR Tr. Ch. III, Decision on Defence Motion for Request for Cooperation to Government of Rwanda: MRND Videotape - Article 28 of the Statute of the Tribunal, *Karemera et al.* (Case No. ICTR-98-44-T), 14 December 2006
- ICTR Tr. Ch. III, Decision on Defence Motion for Certification to Appeal Decision on Witness Proofing Rule 73(B) of the Rules of Procedure and Evidence, *Karemera, Ngirumpatse, and Nzirorera* (Case No. ICTR-98-44-T), 14 March 2007

*Kayishema and Ruzindana* (Case No. ICTR-95-1)
- ICTR Tr. Ch., Judgement, *Kayishema and Ruzindana* (Case No. ICTR-95-1-T), 21 May 1999
- ICTR App. Ch., Judgement (Reasons), *Kayishema and Ruzindana* (Case No. ICTR-95-1-A), 1 June 2001

*Mugenzi et al.* (Case No. ICTR-99-50-I)
- ICTR Tr. Ch. II, Decision on Justin Mugenzi's Motion for Stay of Proceedings or in the Alternative Provisional Release (Rule 65) and in Addition Severance (Rule 82(B)), Mugenzi et al. (Case No. ICTR-99-50-I), 8 November 2002

*Mugiraneza et al. (Case No. ICTR-99-50)*
- Tr. Ch. II, Decision on the Defence Urgent Motion for Relief under Rule 54 to Prevent the Commandant of the UNDF from Obstructing the Course of International Criminal Justice, Mugiraneza et al. (Case No. ICTR-99-50-T), 19 September 2001

*Nabimana, Barayagwiza, Ngeze (Case No. ICTR-99-52)*
- Transcript, Nabimana et al (Case No. ICTR-99-52), 25 October 2000
- ICTR App. Ch., Decision on Jean-Bosco Barayagwiza's Motion Appealing Refusal of Request for Legal Assistance, Nabimana, Barayagwiza, Ngeze (Case No. ICTR-99-52-A), 19 May 2004

*Ndindiliyimana et al., (Case No. ICTR-2000-56)*
- ICTR Tr. Ch. II, Minutes of Proceedings, Ndindiliyimana et al. (Case No: ICTR-00-56-I), 20 September 2004
- ICTR Tr. Ch. II, Minutes of Proceedings, Ndindiliyimana et al. (Case No: ICTR-00-56-I), 21 September 2004
- ICTR Reg., Décision de retrait de la commission d'office de maitre Michel Croisier Conseil Principal de M. Augustin Bizimungu, Ndindiliyimana et al. (Case No. ICTR-00-56-T), 7 October 2004
- ICTR Tr. Ch. II, Decision on Defence Oral Motion for Adjournement [sic] of the Proceedings, Ndindiliyimana et al. (Case No. ICTR-2000-56-T), 8 October 2004 (Decision on Defence Oral Motion)
- ICTR Tr. Ch. II, Minutes of Proceedings, Status Conference, Ndindiliyimana et al. (Case No: ICTR-00-56-I), 11 October 2004
- ICTR Reg., Decision of Withdrawal of Mr. Antoine Beraud as Co-Conseil for Mr. François-Xavier Nzuwonemey, Ndindiliyimana et al (Case No. ICTR-00-56-T), 12 October 2004

*Ngeze (Case No. ICTR-97-27-I)*
- Separate and Dissenting Opinion of Judge Gunawardana on the Accused's Request for Withdrawal of his Counsel, Ngeze (Case No. ICTR-97-27-I), Tr. Ch. I, 28 March 2001
- ICTR Tr. Ch. I, Decision on the Accused's Request for Withdrawal of his Counsel, Ngeze (Case No. ICTR-97-27-I), 29 March 2001

*Ntabobali et al. (Case No. ICTR-98-42)*
- ICTR Tr. Ch. II, Decision on Ntabobali's Motion to Rule Inadmissible the Evidence of Prosecution Witness "TN", Ntabobali et al. (Case No. ICTR-98-42-T), 1 July 2002

*Ntakirutimana and Ntakirutimana (Case Nos. ICTR-96-10 and ICTR-96-17)*
- ICTR Tr. Ch. I, Decision on the Motions of the Accused for Replacement of Assigned Counsel, Ntakirutimana and Ntakirutimana (Case No. ICTR-96-10-T and ICTR-96-17-T), 11 June 1997
- ICTR Tr. Ch. I, Separate and Dissenting Opinion of Judge Yakov Ostrovsky on the Request of the Accused for Change of Assigned Counsel, Ntakirutimana & Ntakirutimana (Case No. ICTR-96-10-T and ICTR-96-17-T), 11 June 1997
- ICTR Tr. Ch. I, Transcripts (in French), *Ntakirutimana & Ntakirutimana* (Case Nos. ICTR-96-10-T and ICTR-96-17-T), 2 April 2001
- ICTR Tr. Ch. I, Decision on the Motion of the Defence for the Assignment of Co-Counsel for Elizaphan Ntakirutimana, *Ntakirutimana and Ntakirutimana* (Case No. ICTR-96-10-T and Case No. ICTR-96-17-T), 13 July 2001 (Decision on the Motion of the Defence)

*Nyiramasuhuko and Ntabobali* (Case No. ICTR-97-21)
- ICTR Tr. Ch. I, Decision on a Preliminary Motion by the Defence for the Assignment of a Co-Counsel to Pauline Nyiramasuhuko, *Nyiramasuhuko and Ntabobali* (Case No. ICTR-97-21-T), 13 March 1998
- ICTR Tr. Ch. II, Decision on Ntabobali’s Motion for Withdrawal of Counsel, *Nyiramasuhuko and Ntabobali* (Case No. ICTR-97-21-T), 22 June 2001
- ICTR Tr. Ch., Decision on the Defence Motion for Access for Investigators and Assistants to the Accused in the Absence of Counsel, *Nyiramasuhuko et al.* (Case No. ICTR-97-21-T), 20 November 2002 (Decision on the Defence Motion for Access)

*Nyiramasuhuko et al.* (Case No. ICTR-98-42)
- ICTR Tr. Ch. II, Decision on the Prosecutor's Allegations of Contempt, the Harmonisation of the Witness Protection Measures and Warning to the Prosecutor's Counsel, *Nyiramasuhuko et al.* (Case No. ICTR-98-42), 10 July 2001 (Decision on the Prosecutor's Allegations of Contempt)

*Nyiramasuhuko et al.* (Case No. ICTR-98-42-T)
- ICTR Tr. Ch. I, Decision on a Preliminary Motion by the Defence for the Assignment of a Co-Counsel to Pauline Nyiramasuhuko, *Nyiramasuhuko et al.* (Case No. ICTR-98-42-T), 26 October 2001

*Nyiriwagaba* (Case No. ICTR-96-14)
- ICTR Tr. Ch. II, Warning to the Prosecutor's Counsel pursuant to Rule 46 (A), *Nyiriwagaba* (Case No. ICTR-96-14-T), 27 February 2001

*Nzabirinda* (Case No. ICTR-01-77)
- ICTR Pres., Decision on Prosecution’s Request to Withdraw Motion for Trial in Rwanda, *Nzabirinda* (Case No. ICTR-01-77-I), 3 March 2005

*Nzirorera* (Case No. ICTR-98-44)
- ICTR Tr. Ch. II, Decision on Nzirorera's Motion for Withdrawal of Counsel, *Nzirorera* (Case No. ICTR-98-44-T), 3 October 2001 (Decision on Nzirorera's Motion)
- ICTR, Separate and Dissenting Opinion of Judge W.C. Matanzima Maqutu on the Request of Accused for Change of Assigned Counsel, *Nzirorera* (Case no. ICTR-98-44-T), 3 October 2001 (Separate and Dissenting Opinion)
- ICTR Pres., The President's Decision on Review of the Decision of the Registrar Withdrawing Mr. Andrew McCartan as Lead Counsel of the Accused Joseph Nzirorera, *Nzirorera* (Case No. 98-44-I), 13 May 2002
- ICTR Pres., The President's Decision on Lead Counsel's Applications for Review of Sanctions Imposed Under Rule 73 (F), Nzirorera et al. (Case No. ICTR-98-44-I), 26 January 2004
- Rutaganda (Case No. ICTR-96-3)
  - ICTR Tr. Ch. I, Decision on the Defence Motion Requesting Permission for Its Investigator to Visit the Accused in the Detention Facilities, Rutaganda (Case No. ICTR-96-3-T), 11 June 1997
- Rwamakuba (Case No. ICTR-98-44C)
  - ICTR Tr. Ch. III, Judgement, Rwamakuba (Case No. ICTR-98-44C-T), 20 September 2006
  - ICTR Tr. Ch. III, Decision on Appropriate Remedy, Rwamakuba (Case No. ICTR-98-44C-T), 31 January 2007
- Seromba (Case No. ICTR-2001-66)
  - ICTR Tr. Ch. III, Trial Day 1, Minutes of Proceedings, Seromba (Case No. ICTR-2001-66-I), 20 September 2004
  - ICTR Tr. Ch. III, Décision sur les Requêtes en Annulation de Sanction et en Intervention en Qualité d'Amicus Curiae. Articles 46 et 74 du Règlement de procédure et de preuve, Seromba (Case No. ICTR-2001-66-T), 22 October 2004
- Serushago (Case no. ICTR 98-39)
  - ICTR Tr. Ch. I, Sentence, Serushago (Case no. ICTR 98-39-S), 5 February 1999

**ICC**

*Situation in the Democratic Republic of the Congo, Lubanga Dyilo* (Case No. ICC-01/04-01/06)
- ICC Pre-Trial Chamber I, Decision on the Prosecutor’s Request for Measures under Article 56, ‘Situation in the Democratic Republic of Congo’ (Case No. ICC-01/04), 26 April 2005
- ICC Pre-Tr. Ch. I, Decision on the Practices of Witness Familiarisation and Witness Proofing, Situation in the Democratic Republic of the Congo, Lubanga Dyilo (Case No. ICC-01/04-01/06), 8 November 2006
- Transcript, Confirmation of charges Hearing, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-T-30), 9 November 2006
- ICC Pre-Tr. Ch. I, Decision on the Defence Request for Extension of Time Limit, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-815), 8 February 2007
- Observations of the Office of Public Counsel for the Defence on the Decision of Pre-Trial Chamber I entitled "Decision on the defence request for extension of time", Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-823), 12 February 2007
- ICC App. Ch., Reasons for the "Decision of the Appeals Chamber on the request of counsel to Mr. Thomas Lubanga Dyilo for modification of the time limit pursuant to regulation 35 of the Regulations of the Court of 7 February 2007" issued on 16 February 2007, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-834), 21 February 2007
- ICC Pre-Tr. Ch. I, Appointment of Duty Counsel, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-870), 19 April 2007
- ICC President, Decision of the Presidency upon the document entitled Clarification filed by Thomas Lubanga Dyilo on 3 April 2007, the requests of the Registrar of 5 April 2007 and the requests of Thomas Lubanga Dyilo of 17 April 2007, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-874), 2 May 2007
- Application for intervention in the proceedings as amicus curiae by the Ordre des Avocats de Paris under rule 103 of the Rules of Procedure and Evidence, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-917), 30 May 2007
- Motion and proposed Amicus Brief in relation to the pro se request for review of the Registry decision of 14 May 2007 by Thomas Lubanga Dyilo on behalf of the International Criminal Bar pursuant to Rule 103 of the Rules of Procedure and Evidence, Thomas Lubanga Dyilo (Case No. ICC-01/04-01/06-918), 4 June 2007 (Motion and proposed Amicus Brief)
- Motion to withdraw request for leave and proposed Amicus Brief on behalf of the International Criminal Bar, Thomas Lubanga Dyilo (Case No. ICC-01-04-01/06-938), 25 July 2007
- ICC Tr. Ch. I., Order on application of the Ordre des avocats de Paris filed on 30 May 2007, Thomas Lubanga Dyilo (Case No. ICC-01-04-01-06), 18 October 2007
- ICC Tr. Ch., Decision on the consequences of non-disclosure of exculpatory materials covered by Article 54(3)(e) agreements and the application to stay the prosecution of the accused, together with certain other issues raised at the Status Conference on 10 June 2008, Lubanga Dyilo (Case No. ICC-01-04-01-06/1401), 13 June 2008; and - Decision on the release of Thomas Lubanga Dyilo, Lubanga Dyilo (Case No. ICC-01-04-01-06-1418), 2 July 2008

Situation in Darfur, Sudan (Case No. ICC-02/05)
- ICC Pre-Tr. Ch., Decision Inviting Observations in Application of Rule 103 of the Rules of Procedure and Evidence, Situation in Darfur, Sudan (Case No. ICC-02/05-10), 24 July 2006
- ICC Reg., Decision of the Registrar Appointing Mr. Hadi Shalluf as ad hoc Counsel for the Defence, Situation in Darfur (Case No. ICC-02-05-12), 25 August 2006 (Decision of the Registrar)
- Prestations de serment par Maître Hadi Shalluf (in French), Situation in Darfur, Sudan (Case No. ICC-02-05-15), 8 September 2006
- Ad hoc Counsel, Application requesting the presence and participation of the Ad Hoc Counsel for the Defence during the proceedings that the Office of the Prosecutor will undertake in Sudan, Situation in Darfur, Sudan (Case No. ICC-02-05-41), 18 December 2006
- ICC Pre-Tr. Ch. Decision on the Ad hoc Counsel for Defence Request of 18 December 2006, Situation in Darfur, Sudan (Case No. ICC-02-05-47), 2 February 2007 (Decision on the Ad hoc Counsel Request)
- Ad hoc Counsel for the Defence Mr Hadi Shalluf, Recours a l'encontre de la décision du greffe du 13 février 2007 (in French), Situation in Darfur, Sudan (Case No. ICC-02-05), 27 February 2007
- ICC Pre-Tr. Ch. I, Decision on the Request for Review of the Registry's decision of 13 February 2007, Situation in Darfur, Sudan (Case No. ICC-02-05), 15 March 2007
- ICC Pre-Tr. Ch. I, Decision on the Request for Leave to Appeal to the Decision Issued on 15 March 2007, *Situation in Darfur, Sudan* (Case No. ICC-02/05), 27 March 2007
- ICC Pre-Tr. Ch. I, Decision Authorising the Filing of Observations on Applications a/0021/07, a/0023/07 to a/0033/07 and a/0035/07 to a/0038/07 for Participation in the Proceedings, *Situation in Darfur, Sudan* (Case No. ICC-02/05-85), 23 July 2007

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*Taylor* (Case No. SCSL-2003-01)

*Sesay, Kallon and Gbao* (Case No. SCSL-04-15)
- SCSL Tr. Ch., Decision on Application for Leave to Appeal Gbao - Decision on Application to Withdraw Counsel, *Sesay, Kallon and Gbao* (Case No. SCSL-2004-15-T), 4 August 2004
- SCSL App. Ch., Gbao - Decision on Appeal against Decision on Withdrawal of Counsel, *Sesay, Kallon and Gbao* (Case No. SCSL-04-15-AR73), 23 November 2004

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- SCSL App. Ch., Decision on Brima-Kamara Defence appeal motion against Trial Chamber II majority decision on extremely urgent confidential joint motion for the re-appointment of Kevin Metzger and Wilbert Harris as lead counsel for Alex Tamba Brima and Brima Bazzy Kamara, *Brima, Kamara and Kanu* (Case No. SCSL-04-16-AR73-441), 8 December 2005

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- SCSL Tr. Ch., Consequential Order on Assignment and Role of Standby Counsel, *Norman, Fofana and Kondewa* (Case No. SCSL-04-14-T), 14 June 2004 (Consequential Order on Assignment)
- SCSL Tr. Ch., Decision on Request by Samuel Hinga Norman for Additional Resources to Prepare his Defence, *Norman, Fofana and Kondewa* (Case No. SCSL-04-14-T), 23 June 2004 (Decision on Request)
- SCSL Tr. Ch., Decision Prohibiting Visits, *Norman, Fofana and Kondewa* (Case No. SCSL-04-14-T), 8 November 2004

**EUROPEAN COURT OF HUMAN RIGHTS (ECHR)**
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- Borgers v. Belgium (Appl. No. 12005/86), 30 October 1991
- Brennau v. UK (Appl. No. 39846/98), 16 October 2001 (Brennau)
- Bulut v. Austria (Appl. No. 17358/90), 22 February 1996 (Bulut)
- Croissant v. Germany (Appl. No. 13611/88), 25 September 1992 (Croissant)
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- Goddi v. Italy (Appl. no. 8966/80), 9 April 1984 (Goddi)
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- Reinhardt and Slimane-Kaïd v. France (Appl. Nos. 23043/93 and 22921/93), 31 March 1998 (Reinhardt and Slimane-Kaïd)
- Steur v. The Netherlands (Appl. No. 39657/98), 28 October 2003
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EUROPEAN COMMISSION OF HUMAN RIGHTS (ECOMHR)
- Ensslin, Baader and Raspe v. Germany (Appl. Nos.7572/76, 7586/76 and 7587/76), 8 July 1978
- Goddi v. Italy (Appl. No. 8966/80), 14 July 1982, B 61

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- Setelich v. Uruguay, CCPR/C/14/D/63/1979 (28 October 1981)

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- Dutch Disciplinary Appeals Tribunal, Case No. 3884, 12 March 2004
- Case no. 09/751004-04 (indictment I) and 09/750006-05 (indictment II), The Hague District Court, 14 October 2005, English translation available from www.rechtspraak.nl (LJN No. AV1163)
- Van Anraat (Case No. 09/751003-04), The Hague District Court, 21 December 2005, English translation available from www.rechtspraak.nl (LJN No. AX6406)
- Dutch Disciplinary Appeals Tribunal, Case No. 4383, 8 May 2006, summary (in Dutch) available from the Dutch section of www.advocatenorde.nl

UNITED STATES OF AMERICA
- Argersinger v. Hamlin, 407 United States Reports (U.S.) 25 (1972)
- Betts v. Brady, 316 U.S. 455 (1942)
- Faretta v. California, 422 US 806 (1975),
- Gideon v. Wainwright, 372 U.S. 335 (1963)
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- McMann v. Richardson, 397 U.S. 759 (1970)
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- Resolution 808 (UN Doc. S/RES/808 (1993)), 22 February 1993 (ICTY)
- Resolution 827 (UN Doc. S/RES/827 (1993)), 25 May 1993 (ICTY)
- Resolution 955 (UN Doc. S/RES/955 (1994)), 8 November 1994 (ICTR)
- Resolution 1329 (UN Doc. S/RES/1329 (2000)), 30 November 2000 (Completion Strategy)
- Resolution 1534 (UN Doc. S/RES/1534 (2004)), 26 March 2004 (Completion Strategy)
- Resolution 1581 (UN Doc. S/RES/1581 (2005)), 18 January 2005 (extension terms of office ad litem judges ICTY)
- Resolution 1757 (UN Doc. S/RES/1757 (2007)), 30 May 2007 (Special Tribunal for Lebanon (STL))
- Resolution 1272 (UN Doc. S/RES/1272 (1999)), 25 October 1999 (Special Panels for Serious Crimes in East Timor)

UN General Assembly
- Resolution 57/228 (2003) (UN Doc. A/RES/57/228 B), 22 May 2003 (Extraordinary Chambers in the Courts of Cambodia)

ICTY
- ICTY Code of Conduct Code of Professional Conduct for Counsel Appearing before the International Tribunal (IT/125), 12 June 1997 (IT/125 REV. 1) (IT/125, Rev. 2), 29 June 2006
- Registry Policy for Determining the Extent to Which an Accused Is Able to Remunerate Counsel, entry into force 4 May 2004
- Defence Travel and DSA Policy, 1 January 2007, available from the ICTY website
- ICTY, Defence Counsel Payment Scheme for the Pre-Trial Stage, 1 May 2006, available from the ICTY website
- Defence Counsel Payment Scheme for the Trial Stage, 1 May 2006, available from the ICTY website
- Rules covering the detention of persons awaiting trial or appeal before the Tribunal or otherwise detained on the authority of the Tribunal (U.N. Doc. IT/38/Rev. 9, 2005) (ICTY Detention Rules)
- Regulations to Govern the Supervision of Visits to and Communications with Detainees (Rev. 3), 22 July 1999 (ICTY Regulations Governing Visits and Communications)

ICTR
- ICTR Code of Professional Conduct for Defence Counsel, 8 June 1998
- ICTR Rules of Procedure and Evidence, adopted on 29 June 1995, as lastly amended on 15 June 2007 (ICTR RPE)
- Guidelines for the Remuneration of Counsel Appearing before the ICTR, 1 September 1998, available from the ICTR website (ICTR Remuneration Guidelines)
- ICTR Remuneration of Defence Team Members under the Legal Aid Program of the ICTR, Manual for Practitioners, available from the ICTR website, (ICTR Remuneration Manual for Practitioners)
- Rules Covering the Detention of Persons Awaiting Trial or Appeal before the Tribunal or Otherwise Detained on the Authority of the Tribunal, 5 June 1998 (ICTR Detention Rules)

ICC
- Proposal for a draft Code of Professional Conduct for counsel before the International Criminal Court (ICC-ASP/3/11/Rev. 1), 27 August 2004
- Resolution ICC-ASP/3/Res.3, 10 September 2004
- ICC Code of Judicial Ethics (ICC-BD/02-01-05), 9 March 2005
- ICC Regulations of the Court (ICC-BD/01-01-04), 26 May 2004
- ICC Registry Regulations (ICC-BD_03-01-06-Rev.1)
- Agreement on the Privileges and Immunities of the International Criminal Court (ICC-ASP/1/3), 9 September 2002

**SCSL**
- Code of Professional Conduct for Counsel Audience before Sierra Leone with the Right of Audience before the Special Court for Sierra Leone, Adopted on 14 May 2005, Amended on 13 May 2006
- Directive on the Assignment of Counsel, adopted 1 October 2003
- Statute of the Special Court for Sierra Leone, 16 January 2002 (SCSL Statute)

**STL**
- Statute of the Special Tribunal for Lebanon, included as an annex to UN SC Resolution 1757 (UN Doc S/RES/1757 (2007)), 30 May 2007 (STL Statute)

**Austria**
- Austrian Code of Criminal Procedure

**Belgium**
- Belgian Criminal Code

**England**
- An Act for regulating of Tryals in Cases of Treason and Misprision of Treason, 7 Wil. 3., c.3 (1696), available at www.british-history.ac.uk/report.asp?compid=46810

**France**
- Déclaration des droits de l'Homme et du citoyen of 26 August 1789
- Ordonnance de 1670,
- French Penal Code

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- Codex Iuris Bavarici Criminalis of 1751
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- Strafprozessordnung of 7 April 1987, lastly amended 22 December 2006

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- Italian Penal code
- Italian Code of Criminal Procedure

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- Dutch Code of Criminal Procedure (Wetboek van Strafvordering) 1926
- Act on Advocates (Advocatenwet) of 23 June 1952, lastly amended 13 July 2002
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