

(b) Constitutional and Institutional Developments

*Compiled by Åsa Rydberg**

1. AMENDMENTS TO THE RULES OF PROCEDURE AND EVIDENCE

During the Twenty-second Plenary Session¹ the Judges of the International Criminal Tribunal for the former Yugoslavia (ICTY) decided to amend eight Rules of the Rules of Procedure and Evidence (Rules).²

Most of the amendments concern the qualifications and the disciplining of defence counsel before the ICTY, and allow sanctions for non-compliance with disciplinary measures.³ Rule 44 provides that counsel must speak one of the two official working languages of the Tribunal.⁴ However, the Registrar of the ICTY may admit exceptions in certain cases.⁵ Further, an Advisory Panel shall be established to assist the President and the Registrar in all matters relating to defence counsel.⁶ Rule 46(C) provides for the adoption and implementation of a Code of Professional Conduct in order to regulate the activities of counsel.⁷

* Associate Legal Officer, Chambers, International Criminal Tribunal for the former Yugoslavia, The Hague, The Netherlands. The selection of events and the interpretation of these are those of the author and do not necessarily represent those of the International Tribunal or the United Nations.

1. The Twenty-second Plenary Session the ICTY Judges took place on 13-14 July 2000.
2. UN Doc. IT/177. Pursuant to Sub-rule 6(D) of the Rules, the amendments entered into force on 2 August 2000, seven days after the date of issue of the official document. The amended Rules are issued in UN Doc. IT/32 Rev.18. Rules 28, 44, 45, 46, 50, 65, 94 *bis*, and 116 *bis* were amended.
3. ICTY Press Release 521, 31 July 2000.
4. Rule 44(A) of the Rules. The working languages of the ICTY are English and French, as provided in Rule 3 of the Rules.
5. Rule 44(B) of the Rules provides that at the request of the suspect or accused and where the interests of justice so demand, the Registrar may admit a counsel who does not speak either of the two working languages of the ICTY but who speaks the native language of the suspect or accused.
6. Rule 44(D) The composition of the Advisory Panel shall be representative of different legal systems.
7. Rule 46(C) of the Rules. ICTY Press Release 521, 31 July 2000.

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