

IT-02-59-PT
D271-D269
17 JUNE 2002

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**UNITED
NATIONS**



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-02-59-PT
Date: 17 June 2002
Original: English

IN TRIAL CHAMBER II

Before: Judge Wolfgang Schomburg, Presiding
Judge Florence Ndepele Mwachande Mumba
Judge Carmel A. Agius

Registrar: Mr. Hans Holthuis

Order of: 17 June 2002

PROSECUTOR

v.

DARKO MRĐA

ORDER FOR DETENTION ON REMAND

The Office of the Prosecutor:

Carla Del Ponte

Counsel for the Accused:

Thomas Moran

THIS TRIAL CHAMBER of 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 (“the International Tribunal”);

PURSUANT TO Rule 64 of the Rules of Procedure and Evidence of the International Tribunal;

CONSIDERING that the Indictment was confirmed by Judge Liu Daqun on 26 April 2002;

CONSIDERING that the Warrant of Arrest and Order for Surrender of Darko Mrđa was issued by Judge Liu Daqun on 26 April 2002;

CONSIDERING that the accused was arrested on 13 June 2002 and was brought to the Detention Unit of the United Nations International Criminal Tribunal for the Former Yugoslavia on 14 June 2002;

CONSIDERING that at the initial appearance of Darko Mrđa on 17 June 2002, the accused stated through his defence lawyer that a written request for provisional release would follow;

THEREFORE ORDERS the detention on remand of Darko Mrđa and enjoins the Commanding Officer of the United Nations Detention Unit in The Hague to detain the accused until further order; and

STATES that when asked, the Accused did not request that any relative be informed of his deprivation of liberty as they had already been informed;

STATES that when asked, the Accused did require that the Embassy or Consulate of the State of Bosnia and Herzegovina be informed of his deprivation of liberty and ongoing detention;

NOTING that Article 36(1)(b) of the 1963 Vienna Convention on Consular Relations states: "if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this sub-paragraph";

NOTING that this Rule must correspondingly be applied;

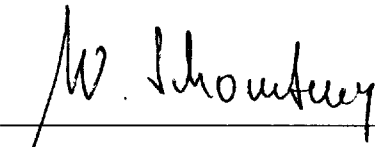
HEREBY ORDERS the Registry to inform the Embassy of Bosnia and Herzegovina in The Hague of the deprivation of liberty and ongoing detention of Darko Mrda.

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

Dated this seventeenth day of June 2002

At The Hague

The Netherlands



Judge Wolfgang Schomburg
Presiding

[Seal of the Tribunal]