

INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

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Case No. IT-95-14-R77.6
Prosecutor v. Domagoj Margetić

DECISION**THE DEPUTY REGISTRAR,**

CONSIDERING the Statute of the Tribunal (“Statute”) as adopted by the Security Council under Resolution 827 (1993), and in particular Article 21 thereof;

CONSIDERING the Rules of Procedure and Evidence (“Rules”) as adopted by the Tribunal on 11 February 1994, as subsequently amended, and in particular Rule 44 thereof;

NOTING the Indictment against Mr. Domagoj Margetić (“Accused”) filed confidentially and *ex parte* on 30 August 2006;

NOTING the 13 September 2006 Trial Chamber’s “Order Summoning the Accused to Appear”, which summoned the Accused to appear before the Tribunal on 5 October 2006 to answer charges of contempt under Rule 77 of the Rules;

NOTING the Trial Chamber’s “Decision on Request of Domagoj Margetić to Appear Via Video-Conference Link or for a Continuance” of 2 October 2006, by which the Trial Chamber granted in part the request of the Accused for continuance of the hearing, until the Registry was able to assess what medical arrangements were necessary for the Accused’s travel to the seat of the Tribunal;

NOTING the “Registrar’s Submission Pursuant to Decision on Request of Domagoj Margetić to Appear Via Video-Conference Link or for a Continuance” filed confidentially on 9 October 2006, by which the Registrar informed the Trial Chamber that the Accused had indicated that he was in a position to travel to The Hague within ten days from 3 October 2006 without any medical assistance;

NOTING the Trial Chamber’s “Further Order Summoning the Accused to Appear” of 10 October 2006, scheduling the appearance of the Accused before the Tribunal on Friday, 13 October 2006;

CONSIDERING that on 11 October 2006, the Accused executed a power of attorney authorising Mr. Veljko Miljević, attorney at law from Zagreb, to represent him in proceedings before the Tribunal pursuant to Rule 44 of the Rules;

CONSIDERING however, that Mr. Miljević has failed to submit the documentation required to allow the Registry to determine whether he is qualified to represent the Accused pursuant to Rule 44 of the Rules;

CONSIDERING that on 12 October 2006, the Accused executed a power of attorney authorising Ms. Dijana Tomašegović-Tomić, attorney at law from Zagreb, to represent him at his initial appearance on 13 October 2006 pursuant to Rule 44 of the Rules, while indicating that he still requests Mr. Miljević to represent him in further proceedings in this case;

CONSIDERING that Ms. Tomašegović-Tomić fulfils the qualification requirements for admission as counsel pursuant to Rule 44 of the Rules and has agreed to represent the Accused at his initial appearance;

NOTING Ms. Tomašegović-Tomić obligations under the Statute, the Rules (in particular Rule 44(C)) and the Code of Professional Conduct for Defence Counsel Appearing before the International Tribunal;

HEREBY DECIDES pursuant to Rule 44 of the Rules, to admit Ms. Tomašegović-Tomić to represent the Accused at his initial appearance before the Tribunal, in case no. IT-95-14-R77.6.

John Hocking

Deputy Registrar

Dated this 13th day of October 2006
At The Hague,
The Netherlands.