



IT-95-5/18-R77.2  
D32-D31  
16 DECEMBER 2011

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A7

INTERNATIONAL CRIMINAL TRIBUNAL  
FOR THE FORMER YUGOSLAVIA

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**Case No. IT-95-5/18-R77.2**

***In the contempt case of Milan Tupajić***

**DECISION**

**PUBLIC**

**THE ACTING DEPUTY REGISTRAR,**

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

**NOTING** the Rules of Procedure and Evidence as adopted by the Tribunal on 11 February 1994, as subsequently amended (“Rules”), and in particular Rules 44, 45 and 62(B) thereof;

**NOTING** the Directive on Assignment of Defence Counsel as adopted by the Tribunal on 28 July 1994, as subsequently amended (“Directive”), and in particular Article 14(B) thereof;

**NOTING** the Code of Professional Conduct for Counsel Appearing Before the International Tribunal as adopted by the Tribunal on 12 June 1997, as subsequently amended;

**CONSIDERING** that Mr. Milan Tupajić (“Accused”) was transferred to the seat of the Tribunal on 15 December 2011, and that his initial appearance is scheduled for 16 December 2011;

**CONSIDERING** that the Accused’s rights under the Statute, Rules and Directive must be protected until he retains permanent counsel or has counsel assigned to him pursuant to Rule 45 of the Rules and that Rule 62(B) of the Rules enables the Registrar to assign duty counsel for this purpose;

**CONSIDERING** that the Accused has been informed of his right to retain counsel or to have one assigned by the Registrar if he lacks the means to remunerate counsel;

**CONSIDERING** that Mr. Eugene O'Sullivan, attorney at law from Canada, is on the list of duty counsel envisaged in Rule 45(C) of the Rules, and has agreed to represent the Accused at his initial appearance;

**HEREBY DECIDES** to assign Mr. Eugene O'Sullivan as counsel to represent the Accused at his initial appearance, and in such other matters as may be necessary until a permanent counsel is assigned, effective as of the date of this decision.

PP Linda Murnane  
  
  
Acting Deputy Registrar

Dated this 16<sup>th</sup> day of December 2011  
At The Hague,  
The Netherlands.