UNITED NATIONS

D9 - D8

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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-96-19-Misc. 1

Date: 12 February 1996

Original: ENGLISH

Before: **Judge Stephen**

Registrar: **Mrs. Dorothee de Sampayo Garrido-Nijgh**

Order of: **12 February 1996**

APPLICATION FOR A TRANSFER ORDER AND ORDER FOR DETENTION OF GENERAL DJORDE DJUKIĆ AND COLONEL ALEKSA KRSMANOVIĆ

ORDER FOR DETENTION OF GENERAL DJORDE DJUKIĆ AND COLONEL ALEKSA KRSMANOVIĆ

The Office of the Prosecutor:

Mr. Graham Blewitt
Mr. Grant Niemann

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ORDER FOR DETENTION

NOTING the Application of the Deputy Prosecutor, dated 12 February,1996, for orders of transfer and detention in respect of General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ,

CONSIDERING that General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ are required so that a record of their statement may be taken in connection with an investigation being carried on by the Prosecutor concerning alleged crimes over which the Tribunal has jurisdiction,

CONSIDERING that General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ have been remanded in custody for a period of 40 days by order of the Higher Court of Sarajevo in connection with an investigation for genocide and crimes against civilians, pursuant to Articles 141 and 142 of the Bosnia and Herzegovina Criminal Code and that the period of remand is due to expire on Sunday, 17 March, 1996,

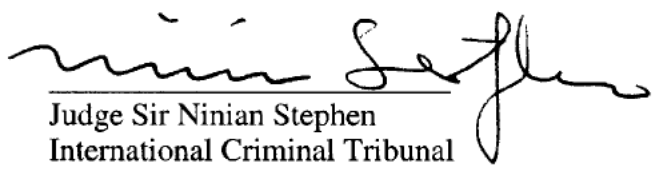
CONSIDERING that the Government of Bosnia and Herzegovina has agreed to allow General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ to leave the jurisdiction and custody of Bosnia and Herzegovina and be placed into the jurisdiction and custody of the Tribunal for the purposes of the Prosecutor's investigation and provided they are returned to the jurisdiction and custody of Bosnia and Herzegovina on Sunday, 17 March, 1996, or at an earlier date should they no longer be required for the Prosecutor's investigation, or unless otherwise ordered by a Judge or Trial Chamber of the Tribunal,

CONSIDERING the presence of the said General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ is not required for any criminal proceedings in progress in the territory of Bosnia and Herzegovina during the period General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ are required by the Tribunal,

CONSIDERING the transfer of General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ will not extend the period of their detention as foreseen by the Government of Bosnia and Herzegovina, namely, Sunday, 17 March 1996,

PURSUANT to Rules 54 and 90 *bis* of the Rules,

HEREBY ORDERS the detention in custody of General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ in the United Nations Detention Facility in The Hague, The Netherlands and enjoin the Commanding Officer of that Detention Unit to receive General Djordje DJUKIĆ and Colonel Aleksa KRSMANOVIĆ and to detain them in custody until Sunday, 17 March, 1996, or at an earlier date should they no longer be required for the Prosecutor's investigation, or unless otherwise ordered by a Judge or Trial Chamber of the Tribunal.



Judge Sir Ninian Stephen
International Criminal Tribunal
for the former Yugoslavia

Dated this 12th day of February, 1996,
At The Hague,
The Netherlands

Case No.

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