



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

Case No.: IT-95-10-A
Date: 21 August 2001
Original: English
French

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Claude Jorda, President of the Tribunal

Registrar: Mr. Hans Holthuis

Decision of: 21 August 2001

THE PROSECUTOR

v.

GORAN JELISIĆ

CONFIDENTIAL

**ORDER DESIGNATING THE STATE
IN WHICH GORAN JELISIĆ
IS TO SERVE HIS PRISON SENTENCE**

The Office of the Prosecutor:

**Mr. Upawansa Yapa
Mr. Geoffrey Nice
Mr. Morten Bergsmo
Mr. Fabricio Guariglia**

Defence Counsel:

**Mr. William Clegg
Mr. Jovan Babić**

I, Claude Jorda, President of the International Criminal Tribunal for the Former Yugoslavia (hereinafter “the Tribunal”);

NOTING the Judgement rendered by the Appeals Chamber on 5 July 2001 in the case IT-95-10-A, *The Prosecutor v. Goran Jelisić*, in which Goran Jelisić, born on 7 June 1968, was sentenced to forty (40) years’ imprisonment;

PURSUANT to Rule 101(C) of the Rules of Procedure and Evidence (hereinafter “the Rules”) and the above Judgement which provides that Goran Jelisić must serve a term ending no earlier than 22 January 2038 save in exceptional circumstances;

NOTING the disposition of the above Judgement which provides that the convicted person must receive psychological or psychiatric follow-up treatment;

PURSUANT to Article 27 of the Statute of the Tribunal, Rule 103(A) of the Rules and paragraphs 4 to 6 of the Practice Direction on the Procedure for the Tribunal’s Designation of the State in which a Convicted person is to serve his/her Sentence of Imprisonment (hereinafter “the Practice Direction”);

CONSIDERING the confidential internal memorandum of 19 July 2001 submitted through the Registrar within the terms of paragraph 3 of the Practice Direction which enumerates the States in which Goran Jelisić may serve his sentence;

CONSIDERING the Agreement between the Government of Italy and the United Nations on the enforcement of sentences imposed by the Tribunal signed on 6 February 1997;

CONSIDERING that the Government of Italy has indicated to the Registry that it is prepared to enforce the sentence of Goran Jelisić;

HAVING CONSIDERED all the factors set out in the Practice Direction, in particular, the place of residence of Goran Jelisić’s family;

FOR THE FOREGOING REASONS,

DECIDE that Goran Jelisić shall serve his sentence in Italy;

INVITE the Registrar to submit an official request to the Italian authorities to undertake the enforcement of Goran Jelisić's sentence and, should the Government of Italy consent to the request, to inform me thereof and to make all the arrangements necessary for the transfer of Goran Jelisić to Italy;

ORDER that, in accordance with Rule 103(C) of the Rules, Goran Jelisić remain in the custody of the Tribunal pending his transfer to Italy;

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

Done this twenty-first day of August 2001
At The Hague
The Netherlands

(signed)

Claude Jorda
President

[Seal of the Tribunal]