



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-96-23 &
IT-96-23/1-A

Date: 26 July 2002

Original: English
French

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Claude Jorda, President of the Tribunal

Registrar: Mr Hans Holthuis

Decision of: 26 July 2002

THE PROSECUTOR

v.

**DRAGOLJUB KUNARAC
RADOMIR KOVAČ
ZORAN VUKOVIĆ**

CONFIDENTIAL

**ORDER DESIGNATING THE STATE
IN WHICH RADOMIR KOVAČ
IS TO SERVE HIS PRISON SENTENCE**

**The Office of the Prosecutor:
Mrs Carla Del Ponte**

**Defence Counsel:
Mr Momir Kolesar
Mr Vladimir Rajić**

I, Claude Jorda, President 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 (hereinafter “the International Tribunal”),

NOTING the Judgement rendered by the Appeals Chamber on 12 June 2002 in the case *The Prosecutor v. Dragoljub Kunarac, Radomir Kovač and Zoran Vuković* in which Radomir Kovač, born on 31 March 1961, was sentenced to twenty (20) years’ imprisonment;

PURSUANT to Article 27 of the Statute of the Tribunal, Rule 103(A) of the Rules of Procedure and Evidence (hereinafter “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”);

NOTING the confidential internal *memorandum* of 19 July 2002, submitted through the Registrar within the terms of paragraph 3 of the Practice Direction, which enumerates the States in which Radomir Kovač might serve his sentence;

NOTING the Agreement between the Government of Norway and the United Nations on the enforcement of sentences of the Tribunal signed on 24 April 1998;

CONSIDERING that the Government of Norway has indicated to the Registry that it is prepared to enforce the sentence of Radomir Kovač;

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

HAVING CONSULTED the Judges of the Appeals Chamber;

FOR THE FOREGOING REASONS,

DECIDE that Radomir Kovač shall serve his sentence in Norway;

INVITE the Registrar to make an official request to the Norwegian authorities to undertake the enforcement of Radomir Kovač's sentence and, should the Government of Norway agree to the request, to so notify me and take all the necessary measures for Radomir Kovač's transfer to Norway;

ORDER, pursuant to Rule 103(C) of the Rules, that Radomir Kovač shall remain in the custody of the Tribunal pending his transfer to Norway.

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

Done this twenty-sixth day of July 2002
At The Hague
The Netherlands

(signed)

Claude Jorda
President

[Seal of the Tribunal]