



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-96-21-ES

Date: 29 April 2003

Original: ENGLISH

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. Hans Holthuis

Order of: 29 April 2003

THE PROSECUTOR

v.

ESAD LANDŽO

**ORDER DESIGNATING THE STATE IN WHICH ESAD LANDŽO
IS TO SERVE HIS SENTENCE**

CONFIDENTIAL

Counsel for the Prosecutor:

Mr. Norman Farrell
Mr. Anthony Carmona
Ms. Helen Brady

Counsel for the Defence:

Ms. Cynthia Sinatra
Mr. Peter Murphy

I, THEODOR MERON, 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 (“International Tribunal”),

NOTING the Judgement on Sentencing Appeal *The Prosecutor v. Zdravko Mucić, Hazim Delić and Esad Landžo*, IT-96-21-*Abis*, pronounced by the Appeals Chamber on 8 April 2003 in which the sentence of Esad Landžo, born on 7 March 1973, to fifteen (15) years’ imprisonment was affirmed;

PURSUANT TO Article 27 of the Statute of the International Tribunal, Rule 103(A) of the Rules of Procedure and Evidence (“Rules”), and paragraphs 4 to 6 of the Practice Direction on the Procedure for the International Tribunal’s Designation of the State in which a Convicted Person is to Serve His/Her Sentence of Imprisonment, IT/137, 9 July 1998 (“Practice Direction”);

CONSIDERING the Registrar’s confidential internal memorandum dated 10 April 2003 submitted in accordance with the terms of paragraph 3 of the Practice Direction, which enumerates the States where Esad Landžo may serve his sentence;

CONSIDERING Esad Landžo’s Application Pursuant to Article 27 and Rule 103, in which he requests to serve his sentence in an English-speaking State because, while in detention in The Hague, he began studying English and developed computer skills that he wishes to develop further in order to complete a college education;

CONSIDERING, however, that, to date, there is no agreement between the International Tribunal and an Anglophone State regarding the enforcement of sentences of the International Tribunal;

CONSIDERING that the International Tribunal has an Agreement with the Government of Finland on the Enforcement of Sentences of the International Tribunal, which was signed on 7 May 1997;

CONSIDERING FURTHER that English is widely spoken in Finland and that the Government of Finland agrees in principle to enforce Esad Landžo's sentence in Finland;

ACKNOWLEDGING that, in the event that the International Tribunal signs an agreement on the enforcement of sentences with an Anglophone State, Mr. Landžo may renew his request to serve his sentence in an Anglophone State;

HAVING CONSIDERED all the factors set out in the Practice Direction;

FOR THE FOREGOING REASONS,

DECIDE that Esad Landžo shall serve his sentence in Finland;

DIRECT the Registrar to make a request to the Finnish authorities to enforce Esad Landžo's sentence in Finland, and, if the Government of Finland agrees to such request to organize Esad Landžo's transfer to Finland;

ORDER, pursuant to Rule 103(C) of the Rules, that Esad Landžo shall remain in the custody of the International Tribunal until his transfer to Finland;

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

Dated this 29th day of April 2003,

At The Hague,

The Netherlands.



Theodor Meron
President

[Seal of the Tribunal]