



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-02-65/1-ES
Date: 14 April 2004
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. Hans Holthuis

Order of: 14 April 2004

THE PROSECUTOR

v.

PREDRAG BANOVIĆ

CONFIDENTIAL

**ORDER DESIGNATING THE STATE IN WHICH PREDRAG BANOVIĆ
IS TO SERVE HIS SENTENCE**

Counsel for the Prosecution

Ms. Joanna Korner
Ms. Sureta Chana

Counsel for the Defence

Mr. Jovan Babić

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 Sentencing Judgement in *The Prosecutor v. Predrag Banović*, No. IT-02-65/1-S, issued by Trial Chamber III on 28 October 2003, which sentenced Predrag Banović to eight (8) years’ imprisonment;

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, Document No. IT-137, 9 July 1998 (“Practice Direction”);

CONSIDERING the Registrar’s confidential internal memorandum dated 1 April 2004, submitted in accordance with the terms of paragraph 3 of the Practice Direction, which enumerates the States where Predrag Banović may serve his sentence;

NOTING the Agreement between the United Nations and the Government of the French Republic on the Enforcement of Sentences of the International Tribunal, signed 25 February 2000;

CONSIDERING that the Government of the French Republic agrees in principle to enforce Predrag Banović’s sentence in France;

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

FOR THE FOREGOING REASONS,

DECIDE that Predrag Banović shall serve his sentence in France;

DIRECT the Registrar to make a request to the French authorities to enforce Predrag Banović’s sentence in France, and, should the Government of the French Republic agree to such request, to organize Predrag Banović’s transfer to France;

ORDER, pursuant to Rule 103(C) of the Rules, that Predrag Banović shall remain in the custody of the International Tribunal until his transfer to France.

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

Dated this 14th day of April 2004,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the International Tribunal]