



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-04-78-PT
Date: 1 September 2004
Original: English

IN TRIAL CHAMBER I

Before: Judge Liu Daqun, Presiding
Judge Amin El Mahdi
Judge Alphons Orie

Registrar: Mr. Hans Holthuis

Decision: 1 September 2004

PROSECUTOR

v.

**MIRKO NORAC
and
RAHIM ADEMI**

SECOND DECISION ON PRE-TRIAL DETENTION

The Office of the Prosecutor:

Mr. Mark Ierace
Mr. Anura Meddegoda

The Government of the Republic of Croatia:

The Embassy of the Republic of Croatia,
The Hague
The Netherlands

Counsel for the Accused:

Zeljko Olujic
Čedo Prodanović

TRIAL CHAMBER I, (“the Chamber”) 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 (“the Tribunal”);

NOTING the letter addressed by the Ministry of Justice of the Republic of Croatia to the Registrar on 10 August 2004, whereby the Croatian authorities request permission of the ICTY Trial Chamber to transfer Mr. Norac from the Zagreb Prison to the Glina Penitentiary;

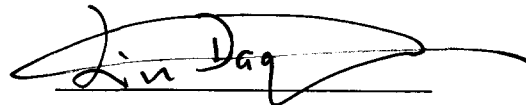
NOTING the “Decision on Pre-trial Detention” filed on 8 July 2004, whereby the Trial Chamber requested the Government of the Republic of Croatia to detain the Accused in a prison in Croatia on behalf of the Tribunal under a series of conditions, including that the Accused does not leave the prison in which he is detained without the express consent of the Chamber (“the Decision of 8 July 2004”);

CONSIDERING that the transfer from the Zagreb prison to the Glina Penitentiary requires the express consent of the Chamber;

PURSUANT to Rules 54 of the Rules,

CONSENTS to the transfer of the Accused from the Zagreb Prison to the Glina Penitentiary, provided that all conditions listed in the Decision of 8 July 2004, including that referring to the monitoring of communication between the Accused and persons outside the prison,¹ will be respected in the Glina Penitentiary.

Done in English and French, the English text being the authoritative,
Dated this First Day of September 2004,
At The Hague,
The Netherlands



Judge Liu Daqun, Presiding Judge

[Seal of the Tribunal]

¹ Condition numbered 4 in the Decision of 8 July 2004.