



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-98-30/1-ES
Date: 12 May 2006
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President
Registrar: Mr. Hans Holthuis
Order of: 12 May 2006

THE PROSECUTOR

v.

**MIROSLAV KVOČKA
MLAĐO RADIĆ
ZORAN ŽIGIĆ
AND
DRAGOLJUB PRCAĆ**

CONFIDENTIAL

**ORDER DESIGNATING THE STATE IN WHICH ZORAN ŽIGIĆ
IS TO SERVE HIS PRISON SENTENCE**

Office of the Prosecutor:

Mr. Anthony Carmona
Ms. Helen Brady
Ms. Norul Rashid
Mr. David Re
Ms. Kelly Howick

Counsel for the Defence:

Mr. Slobodan Stojanović for Zoran Žigić

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I, FAUSTO POCAR, 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” rendered by the Appeals Chamber on 28 February 2005 in the case IT-98-30/1-A, *Prosecutor v. Miroslav Kvočka, Mlado Radić, Zoran Žigić and Dragoljub Prcać*, in which Zoran Žigić, born 20 September 1958, was sentenced to twenty-five (25) 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 four (4) to six (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 Imprisonment¹ (“Practice Direction”);

CONSIDERING the confidential internal memorandum of 9 May 2006, submitted to me by the Deputy Registrar within the terms of paragraph three (3) of the Practice Direction and listing the States in which Zoran Žigić may serve his sentence;

CONSIDERING the Enforcement Agreement between the United Nations and Austria, which was signed on 23 July 1999 and entered into force on 22 August 1999, concerning the enforcement of sentences passed by the International Tribunal;

CONSIDERING that the government of Austria has indicated to the Registry its willingness to enforce Zoran Žigić’s sentence;

HAVING CONSIDERED all of the factors enumerated in the Practice Direction, including in particular the place of residence of Zoran Žigić’s family;

FOR THE FOREGOING REASONS,

DECIDE that Zoran Žigić shall serve his sentence in Austria;

¹ 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.

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INVITE the Registrar officially to request the authorities of Austria to enforce the sentence of Zoran Žigić and, should the government of Austria accede to the request, so inform me and take all necessary measures to facilitate Zoran Žigić's transfer to Austria;

ORDER pursuant to Rule 103(C), that Zoran Žigić remain in the International Tribunal's custody while awaiting his transfer to Austria.

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

Done this 12th day of May 2006,
At The Hague,
The Netherlands.



Judge Fausto Pocar
President

[Seal of the International Tribunal]