

**UNITED
NATIONS**



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-97-24-ES

Date: 31 August 2006

Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President

Registrar: Mr. Hans Holthuis

Order of: 31 August 2006

THE PROSECUTOR

v.

MILOMIR STAKIĆ

CONFIDENTIAL

**ORDER DESIGNATING THE STATE IN WHICH MILOMIR STAKIĆ
IS TO SERVE HIS PRISON SENTENCE**

Office of the Prosecutor:

Mr. Mark J. McKeon
Ms. Helen Brady
Mr. Xavier Tracol
Ms. Barbara Goy
Ms. Katharina Margetts

Counsel for the Defence:

Mr. Branko Lukić
Mr. John Ostojić

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 22 March 2006 in the case IT-97-24-A, *Prosecutor v. Milomir Stakić*, in which Milomir Stakić, born 19 January 1962, was sentenced to forty (40) 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 30 August 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 Milomir Stakić may serve his sentence;

CONSIDERING the Enforcement Agreement between the United Nations and France, which was signed on 25 February 2000, concerning the enforcement of sentences passed by the International Tribunal;

CONSIDERING that the government of France has indicated to the Registry its willingness to enforce Milomir Stakić’s sentence;

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

FOR THE FOREGOING REASONS,

DECIDE that Milomir Stakić shall serve his sentence in France;


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.

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

ORDER pursuant to Rule 103(C), that Milomir Stakić remains in the International Tribunal's custody while awaiting his transfer to France.

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

Done this 31st day of August 2006,
At The Hague,
The Netherlands.



Judge Fausto Pocar
President

[Seal of the International Tribunal]