

IT-95-17-ES
D3-D1
10 July 2007

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**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-95-17-ES
Date: 10 July 2007
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President
Registrar: Mr. Hans Holthuis
Order of: 10 July 2007

THE PROSECUTOR

v.

MIROSLAV BRALO

CONFIDENTIAL

**ORDER DESIGNATING THE STATE IN WHICH MIROSLAV BRALO
IS TO SERVE HIS PRISON SENTENCE**

Office of the Prosecutor:

Mr. Peter Kremer Q.C.
Mr. Xavier Tracol
Ms. Kristina Carey

Counsel for the Miroslav Bralo:

Mr. Jonathan Cooper
Ms. Virginia C. Lindsay

PM

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 on Sentencing Appeal” rendered by the Appeals Chamber on 2 April 2007 in Case No. IT-95-17-A, *Prosecutor v. Miroslav Bralo*, in which Miroslav Bralo was sentenced to twenty (20) 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 Imprisonment (“Practice Direction”);¹

CONSIDERING the confidential internal memorandum of 5 July 2007, submitted to me by the Deputy Registrar of the International Tribunal within the terms of paragraph three (3) of the Practice Direction and listing the States in which Miroslav Bralo may serve his sentence;

CONSIDERING the Enforcement Agreement between the United Nations and the Government of Sweden, which was signed on 23 February 1999 and entered into force on signature, concerning the enforcement of sentences ordered by the International Tribunal;

CONSIDERING that the government of Sweden has indicated to the Registry its willingness to enforce Miroslav Bralo’s sentence;

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

FOR THE FOREGOING REASONS,

DECIDE that Miroslav Bralo shall serve his sentence in Sweden;


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 Sweden to enforce the sentence of Miroslav Bralo and, should the government of Sweden accede to the request, so inform me and take all necessary measures to facilitate Miroslav Bralo transfer to Sweden;

ORDER pursuant to Rule 103(C), that Miroslav Bralo remain in the International Tribunal's custody while awaiting his transfer to Sweden.

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

Done this 10th day of July 2007,
At The Hague,
The Netherlands.



Judge Fausto Pocar
President

[Seal of the International Tribunal]