



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-00-39-ES
Date: 24 April 2009
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Patrick Robinson, President

Acting Registrar: Mr. John Hocking

Order of: 24 April 2009

PROSECUTOR

v.

MOMČILO KRAJIŠNIK

CONFIDENTIAL

**ORDER DESIGNATING STATE IN WHICH MOMČILO KRAJIŠNIK
IS TO SERVE HIS SENTENCE**

Office of the Prosecutor
Mr. Peter M. Kremer, QC

Momčilo Krajišnik *pro se*

Counsel for Momčilo Krajišnik on JCE
Mr. Alan M. Dershowitz
Mr. Nathan Z. Dershowitz

Amicus Curiae
Mr. Colin Nicholls, QC

I, PATRICK ROBINSON, 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 17 March 2009 in the case of *Prosecutor v. Momčilo Krajišnik*, Case No. IT-00-39-A, in which Momčilo Krajišnik was sentenced to 20 years of imprisonment, subject to credit being given under Rules 101(C) and 107 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) for the period already spent in detention;

CONSIDERING the confidential memorandum of 21 April 2009 submitted to me by the Acting Registrar within the terms of paragraph three 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 which enumerates the states in which the sentence of Momčilo Krajišnik can be carried out and containing information in relation thereto;

CONSIDERING the “Agreement between the United Nations and the Government of the United Kingdom of Great Britain and Northern Ireland on the Enforcement of Sentences of the International Criminal Tribunal for the former Yugoslavia”, which entered into force on 10 April 2004, concerning the enforcement of sentences imposed by the International Tribunal;

CONSIDERING that the Government of the United Kingdom of Great Britain and Northern Ireland has indicated to the Registry its willingness to enforce the sentence imposed upon Momčilo Krajišnik;

HAVING CONSIDERED all of the factors enumerated in the Practice Direction, including the family situation of Momčilo Krajišnik;

PURSUANT to Article 27 of the Statute of the International Tribunal, Rule 103(A) of the Rules, and paragraph 4 of the Practice Direction;

HEREBY DECIDE that Momčilo Krajišnik shall serve his sentence in the United Kingdom of Great Britain and Northern Ireland;

INVITE the Registry to officially request the authorities of the United Kingdom of Great Britain and Northern Ireland to enforce the sentence of Momčilo Krajišnik and, should the Government of


¹ IT/137, 9 July 1998.

the United Kingdom of Great Britain and Northern Ireland accede to this request, so inform and take all necessary measures to facilitate Momčilo Krajišnik's transfer to the United Kingdom of Great Britain and Northern Ireland;

ORDER, pursuant to Rule 103(C) of the Rules, that Momčilo Krajišnik shall remain in the International Tribunal's custody while awaiting his transfer to the United Kingdom of Great Britain and Northern Ireland;

INSTRUCT the Registry of the International Tribunal to lift the confidential status of the present Order once Momčilo Krajišnik's transfer to the United Kingdom of Great Britain and Northern Ireland has been completed and **ORDER** that this Order shall thereupon and henceforth be considered a public filing.

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



Judge Patrick Robinson
President

Dated this twenty-fourth day of April 2009
At The Hague
The Netherlands

[Seal of the Tribunal]