

**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-98-29/1-ES
Date: 14 February 2011
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Patrick Robinson, President
Registrar: Mr. John Hocking
Order: 14 February 2011

PROSECUTOR

v.

DRAGOMIR MILOŠEVIĆ

CONFIDENTIAL

**ORDER DESIGNATING STATE IN WHICH DRAGOMIR MILOŠEVIĆ
IS TO SERVE HIS SENTENCE**

Office of the Prosecutor:
Mr. Serge Brammertz

Counsel for Dragomir Milošević:
Mr. Branislav Tapušković
Ms. Branislava Isailović

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 12 November 2009 in the case of *Prosecutor v. Dragomir Milošević*, Case No. IT-98-29/1-A, in which Dragomir Milošević was sentenced to 29 years of imprisonment, subject to credit being given under Rule 101(C) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”) for the period already spent in detention;

CONSIDERING the confidential memorandum of 3 February 2011 submitted to me by the Registrar of the International Tribunal in accordance with the terms 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, IT/137/Rev.1, 1 September 2009 (“Practice Direction”);¹

CONSIDERING the Agreement between the Government of the Republic of Estonia and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the former Yugoslavia, 11 February 2008, concerning the enforcement of sentences imposed by the International Tribunal;

CONSIDERING that the Government of the Republic of Estonia has indicated to the Registry of the International Tribunal its willingness to enforce the sentence imposed upon Dragomir Milošević;

HAVING CONSIDERED all the factors enumerated in the Practice Direction, including the family situation of Dragomir Milošević;

PURSUANT TO Article 27 of the Statute of the International Tribunal, Rule 103 of the Rules, and paragraphs 5–7 of the Practice Direction,

HEREBY DECIDE that Dragomir Milošević shall serve his sentence in the Republic of Estonia;

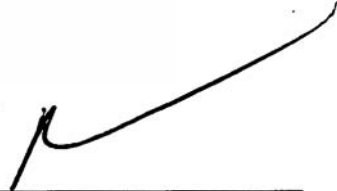
INVITE the Registry of the International Tribunal to officially request the Republic of Estonia to enforce the sentence of Dragomir Milošević and, should the Republic of Estonia accede to this request, so inform and take all necessary measures to facilitate Dragomir Milošević’s transfer to the Republic of Estonia;

¹ See also Memorandum from Registrar to President, 10 February 2011.

ORDER that Dragomir Milošević shall remain in the custody of the International Tribunal while awaiting his transfer to the Republic of Estonia;

INSTRUCT the Registry of the International Tribunal to lift the confidential status of the present Order once Dragomir Milošević's transfer to the Republic of Estonia has been completed and **ORDER** that this Order shall thereupon and henceforth be considered a public document.

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



Judge Patrick Robinson
President

Dated this fourteenth day of February 2011
At The Hague
The Netherlands

[Seal of the International Tribunal]