

IT-95-13/1-ES.2

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26 January 2012

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-95-13/1-ES
Date: 26 January 2012
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. John Hocking

☐ **Order of: 26 January 2012**

PROSECUTOR

v.

MILE MRKŠIĆ

CONFIDENTIAL

**ORDER DESIGNATING STATE IN WHICH
MILE MRKŠIĆ IS TO SERVE HIS SENTENCE**

☐ **The Office of the Prosecutor**

Ms. Helen Brady

Counsel for Mr. Mile Mrkšić

Mr. Miroslav Vasić
Mr. Vladimir Domazet

I, THEODOR MERON, 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 5 May 2009 in the case of *Prosecutor v. Mile Mrkšić and Veselin Šljivančanin*, Case No. IT-95-13/1-A, which affirmed Mile Mrkšić's sentence of 20 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 26 January 2012 submitted to me by the Registrar of the International Tribunal in accordance with paragraph 4 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");

CONSIDERING the Agreement between the United Nations and the Portuguese Republic on the Enforcement of Sentences of the International Criminal Tribunal for the former Yugoslavia, entered into force on 19 December 2007, which concerns the enforcement of sentences imposed by the International Tribunal;

CONSIDERING that the Government of the Portuguese Republic has indicated to the Registry of the International Tribunal ("Registry") its willingness to enforce the sentence imposed upon Mile Mrkšić;

HAVING CONSIDERED all of the factors enumerated in the Practice Direction, including the family situation of Mr. Mile Mrkšić;

PURSUANT to Article 27 of the Statute of the International Tribunal, Rule 103 of the Rules, and paragraphs 5 through 7 of the Practice Direction;

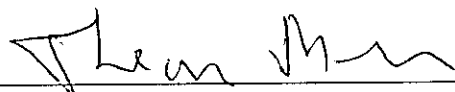
HEREBY DECIDE that Mile Mrkšić shall serve his sentence in the Portuguese Republic;

INVITE the Registry to officially request the authorities of the Portuguese Republic to enforce the sentence of Mile Mrkšić and, should the Portuguese Republic accede to this request, so inform and take all necessary measures to facilitate Mile Mrkšić's transfer to the Portuguese Republic;

ORDER, pursuant to Rule 103(C) of the Rules, that Mile Mrkšić shall remain in the International Tribunal's custody while awaiting his transfer to the Portuguese Republic; and

INSTRUCT the Registry to lift the confidential status of the present Order once Mile Mrkšić's transfer to the Portuguese Republic 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 Theodor Meron
President

Dated this 26th day of January 2012,
At The Hague,
The Netherlands.

[Seal of the International Tribunal]