

UNITED  
NATIONS

IT-06-89-Misc.1  
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15 June 2006

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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-06-89-Misc.1

Date: 15 June 2006

Original: English

**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before: Judge Fausto Pocar, President**

**Registrar: Mr. Hans Holthuis**

**Order of: 15 June 2006**

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**ORDER TO THE REGISTRAR TO SEPARATE CONVICTED AND NON-CONVICTED  
DETAINEES HELD IN THE DETENTION UNIT**

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**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 receipt of the Independent Audit of the Detention Unit at the International Criminal Tribunal for the Former Yugoslavia, dated 4 May 2006 (“Independent Audit”);

**CONSIDERING** Paragraph 2.8.5 of the Independent Audit which noted: “Several detainees thought that social conditions could be improved if detainees who have already been convicted were separated from those who are involved in intensive preparations before or during the trial” and “The need to separate convicted from non-convicted detainees should be met primarily by a more prompt transfer of convicted detainees to host countries. Bearing in mind the long waiting times for transfer, it should be considered whether solutions can be found that will allow the groups to be separated within the...(United Nations Detention Unit);”

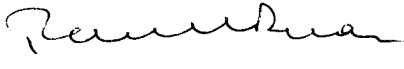
**CONSIDERING FURTHER** that it is consistent with principles of human rights for convicted detainees to be separated from non-convicted detainees and that such separation should be in place in the United Nations Detention Unit as a matter of principle;

**CONSIDERING** that pursuant to Rules 19(A) and 33(A) of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), the Registrar, responsible for the administration and servicing of the International Tribunal, is under the authority and supervision of the President;

**HEREBY ORDER**, pursuant to Rules 19 and 33 of the Rules, the Registrar to implement, as soon as practicable, the recommendation of the Independent audit and separate convicted from non-convicted detainees in the United Nations Detention Unit.

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

Done this 15<sup>th</sup> day of June 2006,  
At The Hague,  
The Netherlands.

  
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Judge Fausto Pocar  
President

**[Seal of the International Tribunal]**