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Tribunal Pénal
International pour
l'ex-Yougoslavie



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REGISTRY

The Hague, 14 September 2005
CT/MO/1003e

RAHIM ADEMI AND MIRKO NORAC CASE REFERRED TO CROATIA

Today, 14 September 2005, the Referral Bench issued a decision referring the case against Rahim Ademi and Mirko Norac to the Republic of Croatia.

This is the first case in which persons already indicted by the Tribunal have been referred to the Republic of Croatia. It is the only case that the Tribunal's Prosecution was requesting to be transferred to the Republic of Croatia.

Findings of the Referral Bench

In its findings, the Referral Bench found that all requirements according to Rule 11bis of the Tribunal's Rules of Procedure and Evidence have been satisfied. This includes the protection of witnesses, a fair trial for the accused, and the assurance that the death penalty could not be imposed.

In its Decision, the Referral Bench states the following:

"The Rules provide for this Tribunal to have an ongoing capacity to take action to have a case which has been referred to a national jurisdiction recalled to this Tribunal. With these matters in mind, and in view of the Appeals Chamber's Decision of 1st September 2005 in Stanković, the Referral Bench will require a report every three months from the Prosecutor, following an initial report after six weeks."

The Tribunal Prosecution is ordered to hand over all material supporting the indictment and other appropriate evidentiary material to the Prosecutor of the Republic of Croatia no later than 30 days of the decision.

Rahim Ademi is currently on provisional release and Mirko Norac remains in custody in the Republic of Croatia under the Tribunal's authority during the pre-trial proceedings.

*The full text of the Decision is available on the Tribunal's website www.un.org/icty.
Hard copies can also be obtained from the Media Office.
Courtroom proceedings can be followed on the Tribunal's website.*

Internet address: <http://www.un.org/icty>
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