

IT-98-32/1-ES.1

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29 JANUARY 2013

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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 Nos.: IT-98-32/1-ES.1

Date: 29 January 2013

Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. John Hocking

Order of: 29 January 2013

PROSECUTOR

v.

SREDOJE LUKIĆ

CONFIDENTIAL

**ORDER DESIGNATING STATE IN WHICH SREDOJE
LUKIĆ IS TO SERVE HIS SENTENCE**

The Office of the Prosecutor

Mr. Serge Brammertz

Counsel for Sredoje Lukić

Mr. Đuro Čepić

Mr. Jens Dieckmann

Prof. G.G.J. Knoops

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 of the International Tribunal on 4 December 2012, in the case of *Prosecutor v. Milan Lukić and Sredoje Lukić*, Case No. IT-98-32/1-A, in which Sredoje Lukić was sentenced to 27 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 conveyed to me by the Registrar of the International Tribunal ("Registrar") on 13 December 2012 ("Memorandum"), 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 ("Practice Direction");¹

CONSIDERING the Agreement between the Government of Norway and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the former Yugoslavia, entered into force on 24 April 1998, concerning the enforcement of sentences imposed by the Tribunal;

CONSIDERING that the Government of Norway has indicated to the Registrar its willingness to enforce the sentence imposed upon Sredoje Lukić;²

HAVING CONSIDERED all the factors enumerated in the Practice Direction;

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 Sredoje Lukić shall serve his sentence in Norway;

INVITE the Registrar to officially request the Government of Norway to enforce the sentence of Sredoje Lukić and, should the Government of Norway accede to this request, so inform and take all necessary measures to facilitate Sredoje Lukić's transfer to Norway;

ORDER, pursuant to Rule 103(C) of the Rules, that Sredoje Lukić shall remain in the custody of the International Tribunal while awaiting his transfer to Norway; and

¹ IT/137/Rev.1, 1 September 2009.

² Memorandum, para. 7.

INSTRUCT the Registrar to lift the confidential status of the present order once Sredoje Lukić's transfer to Norway has been completed and **ORDER** that the present order shall thereupon and henceforth be considered a public filing.

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

Done this 29th day of January 2013,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the International Tribunal]