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International Criminal Tribunal for the former Yugoslavia

Tribunal Pénal International pour l'ex-Yougoslavie

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PRESIDENT
PRESIDENT

The Hague, 6 December 2001
J.L./P.I.S./646e

THE PRESIDENT OF THE ICTY GRANTS RELEASE OF DRAGAN KOLUNDŽIJA

On Thursday 6 December 2001, Dragan Kolundžija was released from the ICTY's Detention Unit, following an order issued the previous day by the President of the Tribunal, Judge Claude Jorda.

Kolundžija was convicted on 13 November 2001 of a crime against humanity, for which he had pleaded guilty, and sentenced to three years' imprisonment, with credit for two years, five months and six days as time already served (see Press Release 635e/f). Dragan Kolundžija filed a request for immediate release on 13 November 2001.

In the order granting release, President Jorda states that no provision in the Tribunal's Statute or Rules of Procedure and Evidence prevents the Tribunal from deciding on a request for early release of a convicted person who has been serving part of his sentence in the Detention Unit.

The President's order is based on a number of documents, namely a report from the Commander of the Detention Unit on the accused's behaviour during his detention; a declaration by a psychiatrist on the state of Kolundžija's mental health; and on a memorandum from the Prosecutor on his cooperation with her office.

The order also follows a meeting between the President and Kolundžija on 30 November 2001, pursuant to the "Practice Direction on the Procedure for the Determination of Applications for Pardon, Commutation of Sentence and Early Release of Persons Convicted by the International Tribunal".

The order acknowledges the accused's willingness to reintegrate into society; his determination not to re-offend; his good physical and mental health; his exemplary behaviour during detention; his attachment to his family; and the possibility for him to find employment.

The order also considers the guilty plea entered by Kolundžija, as well as the gravity of the crime.

The order was made after consultations with the Bureau and the Presiding Judge of Trial Chamber III, which rendered the Sentencing Judgement on 13 November 2001.

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