

**UNITED  
NATIONS**



International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-17-112-ES.2

Date: 14 December 2018

Original: English

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**THE PRESIDENT OF THE MECHANISM**

**Before: Judge Theodor Meron, President**

**Registrar: Mr. Olufemi Elias**

**Order of: 14 December 2018**

**PROSECUTOR**

**v.**

**JADRANKO PRLIĆ**

***CONFIDENTIAL***

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**ORDER DESIGNATING STATE IN WHICH JADRANKO PRLIĆ IS  
TO SERVE HIS SENTENCE**

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**The Office of the Prosecutor**

Mr. Serge Brammertz

**Mr. Jadranko Prlić**

Mr. Michael Karnavas

**I, THEODOR MERON**, President of the International Residual Mechanism for Criminal Tribunals (“Mechanism”);

**NOTING** the Judgement rendered by the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia (“ICTY”) on 29 November 2017, in the case of *Prosecutor v. Jadranko Prlić et al.*, Case No. IT-04-74-A (“Appeal Judgement”), in which Mr. Jadranko Prlić was sentenced to twenty-five (25) years of imprisonment, subject to credit being given under Rule 101(C) of the Rules of Procedure and Evidence of the ICTY for the period already spent in detention;<sup>1</sup>

**CONSIDERING** the confidential memorandum conveyed to me by the Registrar of the Mechanism (“Registrar”) on 14 November 2018 (“Memorandum”), in accordance with the terms of the Practice Direction on the Procedure for Designation of the State in Which a Convicted Person is to Serve His or Her Sentence of Imprisonment;<sup>2</sup>

**CONSIDERING** that in the Memorandum the Registrar indicated the willingness and readiness of the United Kingdom of Great Britain and Northern Ireland (“United Kingdom”) to enforce the sentence imposed upon Mr. Jadranko Prlić;<sup>3</sup>

**CONSIDERING** the Agreement between the United Nations and the Government of the United Kingdom of Great Britain and Northern Ireland on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, entered into force on 11 March 2004 (“Enforcement Agreement”), concerning the enforcement of sentences imposed by the ICTY, which comes in force, *mutatis mutandis*, in relation to the Mechanism;<sup>4</sup>

**HAVING CONSIDERED** the relevant factors enumerated in the Practice Direction, including, *inter alia*, the views of the convicted person;

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<sup>1</sup> Appeal Judgement, p. 1401.

<sup>2</sup> MICT/2/Rev. 1, 24 April 2014 (“Practice Direction”).

<sup>3</sup> See Memorandum, paras. 6, 24.

<sup>4</sup> See U.N. Security Council Resolution 1966, U.N. Doc. S/RES/1966 (2010), 22 December 2010, para. 4 (“[T]he Mechanism shall continue the jurisdiction, rights and obligations and essential functions of the ICTY and the ICTR, respectively, subject to the provisions of this resolution and the Statute of the Mechanism, and all contracts and international agreements concluded by the United Nations in relation to the ICTY and the ICTR, and still in force as of the relevant commencement date, shall continue in force *mutatis mutandis* in relation to the Mechanism [.]”). According to Article 25(2) of the Statute, “[t]he Mechanism shall have the power to supervise the enforcement of sentences pronounced by the ICTY, the ICTR or the Mechanism, including the implementation of sentence enforcement agreements entered into by the United Nations with Member States”.

**PURSUANT TO** Article 25 of the Statute of the Mechanism, Rule 127 of the Rules of Procedure and Evidence of the Mechanism (“Rules”), and paragraphs 5 and 7 of the Practice Direction;

**HEREBY DECIDE** that Mr. Jadranko Prlić shall serve his sentence in the United Kingdom;


**INVITE** the Registrar to officially request the Government of the United Kingdom to enforce the sentence of Mr. Jadranko Prlić and, should the Government of the United Kingdom accede to this request, inform Mr. Jadranko Prlić thereof and take all necessary measures to facilitate his transfer to the United Kingdom;

**ORDER**, pursuant to Rule 127(C) of the Rules, that Mr. Jadranko Prlić shall remain in the custody of the Mechanism while awaiting his transfer to the United Kingdom; and

**INSTRUCT** the Registrar to lift the confidential status of the present Order once Mr. Jadranko Prlić’s transfer to the United Kingdom 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 14th day of December 2018  
At The Hague,  
The Netherlands.



Judge Theodor Meron  
President

**[Seal of the Mechanism]**



**I - FILING INFORMATION / INFORMATIONS GÉNÉRALES**

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<b>Case Name/ Affaire :</b>	<b>Prosecutor v. Jadranko Prlić</b>	<b>Case Number/ Affaire n° :</b>	<b>MICT-17-112-ES.2</b>
<b>Date Created/ Daté du :</b>	<b>14 December 2018</b>	<b>Date transmitted/ Transmis le :</b>	<b>14 December 2018</b>
<b>Original Language / Langue de l'original :</b>	<input checked="" type="checkbox"/> English/ <i>Anglais</i>	<input type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Other/Autre (specify/préciser) :
<b>Title of Document/ Titre du document :</b>	<b>Order Designating State in which Jadranko Prlić is to serve his sentence</b>		
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