

**UNITED
NATIONS**



Mechanism for International Criminal Tribunals

Case No.: MICT-17-112-ES.3

Date: 26 January 2018

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Theodor Meron, President

Registrar: Mr. Olufemi Elias

Order of: 26 January 2018

PROSECUTOR

v.

BRUNO STOJIĆ

CONFIDENTIAL

**ORDER DESIGNATING STATE IN WHICH BRUNO STOJIĆ IS
TO SERVE HIS SENTENCE**

The Office of the Prosecutor

Mr. Serge Brammertz

Mr. Bruno Stojić

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. Bruno Stojić was sentenced to 20 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;¹

CONSIDERING the confidential memorandum conveyed to me by the Registry of the Mechanism (“Registry”) on 12 January 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;²

CONSIDERING that the Government of the Republic of Austria has indicated to the Registry its willingness to enforce the sentence imposed upon Mr. Bruno Stojić;³

CONSIDERING the Agreement between the United Nations and the Federal Government of Austria on the Enforcement of Sentences of the International Criminal Tribunal for the former Yugoslavia, entered into force on 23 July 1999, concerning the enforcement of sentences imposed by the ICTY, which continues in force, *mutatis mutandis*, in relation to the Mechanism;⁴

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

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. Bruno Stojić shall serve his sentence in the Republic of Austria;

¹ Appeal Judgement, p. 1403.

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

³ See Memorandum, paras. 6, 28.

⁴ 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”.

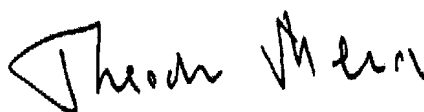
INVITE the Registrar of the Mechanism (“Registrar”) to officially request the Government of the Republic of Austria to enforce the sentence of Mr. Bruno Stojić and, should the Government of the Republic of Austria accede to this request, so inform and take all necessary measures to facilitate Mr. Bruno Stojić’s transfer to the Republic of Austria;

ORDER, pursuant to Rule 127(C) of the Rules, that Mr. Bruno Stojić shall remain in the custody of the Mechanism while awaiting his transfer to the Republic of Austria; and

INSTRUCT the Registrar to lift the confidential status of the present order once Mr. Bruno Stojić’s transfer to the Republic of Austria 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 26th day of January 2018
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Mechanism]



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/
FICHE DE TRANSMISSION POUR LE DÉPÔT DE DOCUMENTS DEVANT LE
MÉCANISME POUR LES TRIBUNAUX PÉNAUX INTERNATIONAUX**

I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	MICT Registry/ Greffe du MPTI		<input type="checkbox"/> Arusha/ Arusha	<input checked="" type="checkbox"/> The Hague/ La Haye	
From/ De :	<input checked="" type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Prosecution/ Bureau du Procureur	<input type="checkbox"/> Other/ Autre :	
Case Name/ Affaire :	Prosecutor v. Bruno Stojic		Case Number/ Affaire n° :	MICT-17-112-ES.3	
Date Created/ Daté du :	26 January 2018	Date transmitted/ Transmis le :	26 January 2018	No. of Pages/ Nombre de pages : 3	
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda	<input type="checkbox"/> B/C/S	<input type="checkbox"/> Other/Autre (specify/préciser) :
Title of Document/ Titre du document :	Order Designating State in which Bruno Stojic is to serve his sentence				
Classification Level/ Catégories de classification :	<input type="checkbox"/> Unclassified/ Non classifié	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue			
	<input checked="" type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu			
	<input type="checkbox"/> Strictly Confidential/ Strictement confidentiel	<input type="checkbox"/> Ex Parte R86(H) applicant excluded/ Art. 86 H) requérant exclu			
		<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu			
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Document type/ Type de document :	<input type="checkbox"/> Motion/ Requête	<input type="checkbox"/> Submission from parties/ Écritures déposées par des parties	<input type="checkbox"/> Indictment/ Acte d'accusation		
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II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input type="checkbox"/> Translation not required/ La traduction n'est pas requise					
<input checked="" type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction : (Word version of the document is attached/ La version Word est jointe)					
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Rev: April 2014/Rév. : Avril 2014