

INTERNATIONAL RESIDUAL MECHANISM
FOR CRIMINAL TRIBUNALS

Case no.: MICT-16-98-ES
Date: 16 May 2025

BEFORE THE PRESIDENT

Before: The President, Honorable Judge Graciela Gatti Santana

Registrar: Mr. Abubacarr M. Tambadou

Date Filed: 16 May 2025

THE PROSECUTOR

VS.

DRAGOMIR MILOŠEVIĆ

PUBLIC REDACTED

DRAGOMIR MILOŠEVIĆ'S APPLICATION FOR EARLY RELEASE [REDACTED]

The Office of the Prosecutor:

Mr. Serge Brammertz

Counsel for the Petitioner:

Mr. Novak Lukić

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I. INTRODUCTION

Based on Articles 5 and 6 of the Practice Direction on the Procedure for Determination of Applications for Pardon, Commutation of Sentence and Early Release of Persons Convicted by the ICTR, the ICTY, or the Mechanism¹ ("Practice Direction"), and further, in accordance with Article 26 of the Statute and Rules 150 and 151 of the MICT Rules of Procedure and Evidence ("Rules"), Mr. Dragomir Milošević ("Petitioner"), through his Counsel, files this Application for Early Release.

¹ MICT/3/Rev.3

II. BACKGROUND

1. On 12 November 2009, the Appeals Chamber of the ICTY convicted the Petitioner to 29 years of imprisonment, subject to credit being given in accordance with the Rule 101 (C) of the Rules for the period the Petitioner already spent in detention as of 03 December 2004, when he was transferred to the United Nations Detention Unit, upon voluntary surrender to the authorities of then Serbia and Montenegro.
2. Petitioner is serving his sentence in Estonia ("Enforcing State") from the day of his transfer on 22 March 2011.
3. On 15 August 2019, the Petitioner filed his first Application for Commutation of Sentence or Early Release ("First Application"), which was denied by President of MICT on 29 July 2020.
4. As of 03 December 2004, when he was transferred to the UNDU, the Petitioner did not spend a single day on provisional release or suspension of sentence. The Petitioner met his two-thirds threshold in March 2024, and is therefore eligible to be considered for early release before the MICT.
5. At this day, the Petitioner is 83 years old.
6. The previous application ("Second Application") was filed on 23 October 2023 and was denied by the President of the MICT on 13 December 2024.
7. At this time, the Defense respectfully asks the President of MICT to consider this application and arguments set out herein.

III. RELEVANT CRITERIA

8. The Defense remains on the same position: Mr. Milošević is convicted for extremely grave crimes in relation to long period of terrorizing civilian population of City of Sarajevo, between August 1994 and November 1995, with immense number of victims. For these crimes, the Appeals Chamber of the ICTY imposed very serious sentence, which certainly

reflects the magnitude of the Petitioner's responsibility, as carefully pondered by honorable judges of this Tribunal.

9. Further, the Defense acknowledges and is mindful of the position of the President of MICT, and agrees that the two-thirds threshold is merely the formal requirement for consideration of an application for early release, and also other criteria to be taken into account.

IV. ARGUMENTS

10. Notwithstanding the above stated, it is the Defense's duty to draw the attention of the President of MICT to present factors in regard of [REDACTED] in the period from filing the Second application, which factors are basis for consideration of the present application on [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

problem is Mr. Milošević's age and his overall medical status is rapidly worsening due to [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

15. The Defense reiterates that Mr. Milošević's [REDACTED] even 22 years ago, and that [REDACTED] during the long-term incarceration. Mr. Milošević is currently [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

16. Furthermore, Mr. Milošević [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Besides that, Mr. Milošević have [REDACTED]
[REDACTED]

17. In addition, for years now, Mr. Milošević is completely deprived of personal contact with his family due to distance, their life circumstances [REDACTED]

[REDACTED]

18. The Defense therefore reiterates that there are compelling reasons for Mr. Milošević's early release [REDACTED], due to his age, time already spent incarcerated

[REDACTED]
[REDACTED] in present circumstances.

[REDACTED] It is the Defense's understanding that no [REDACTED]
[REDACTED]

locally, at the [REDACTED]

[REDACTED] In light of that fact, Mr. Milošević is ready to subject himself [REDACTED]

20. Republic of Serbia was ready and willing to issue guarantees for early release of the Petitioner to support his the previous application for early release. The Petitioner believes that, upon ex officio request by the President of IRMCT, Republic of Serbia shall renew its guarantees.

21. The Petitioner is ready to abide by any special and or additional conditions of his early release, if any.

22. The Petitioner would, upon his early release, reside [REDACTED]

RELIEF REQUESTED

On the basis of the above, the Petitioner, Dragomir Milošević respectfully requests the President of MICT to consider this application, determine that all conditions for early release on humanitarian grounds are fulfilled and grant his early release on those basis.

Respectfully submitted,



Novak Lukic, Counsel for Mr. Dragomir Milosevic

Word count: 1337



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Case Name/ Affaire :	Prosecutor vs. Dragomir Milosevic		Case Number/ Affaire n° :	MICT-16-98-ES
Date Created/ Daté du :	16 May 2025	Date transmitted/ Transmis le :	06 June 2025	Number of Pages/ Nombre de pages : 6
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
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Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Public/ Document public	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue		
	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu		
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