

UNITED
NATIONS



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-12-01-ES

Date: 24 April 2020

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Carmel Agius, President

Registrar: Mr. Olufemi Elias

Order of: 24 April 2020

PUBLIC REDACTED VERSION

**ORDER FOR COVID-19 UPDATES FROM
ENFORCEMENT STATES**

Republic of Austria

Republic of Italy

Republic of Benin

Republic of Mali

Kingdom of Denmark

Kingdom of Norway

Republic of Estonia

Republic of Poland

Republic of Finland

Republic of Senegal

French Republic

Kingdom of Sweden

Federal Republic of Germany

United Kingdom of Great Britain and
Northern Ireland

NOTING that, based on the information received from the Enforcement States to date, no COVID-19 cases have been reported in any of the prisons where the Convicted Persons are serving their sentences;⁷

CONSIDERING that, in order to diligently exercise its supervisory power over the enforcement of sentences as the COVID-19 situation evolves, it is imperative that the Mechanism continues to receive timely information about any relevant changes in prisons where the Convicted Persons are serving their sentences;

CONSIDERING FURTHER that the exceptional nature of the current situation requires strengthened cooperation in this key area;

FOR THE FOREGOING REASONS,

DIRECT the Registrar to continue liaising with the Enforcement States so as to receive, no later than every 14 days from the issuance of this Order until the end of June 2020, updated information

between the International Criminal Tribunal for the former Yugoslavia and the Government of Finland on the Enforcement of Sentences of the International Tribunal, 7 May 1997, Art. 3(2); Agreement between the Government of Norway and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 24 April 1998, Art. 3(2); Agreement between the United Nations and the Government of Sweden on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 23 February 1999, Art. 3(2); 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, 23 July 1999, Art. 3(2); Agreement between the United Nations and the Government of the French Republic on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 25 February 2000, Art. 3(2); Agreement between the United Nations and the Kingdom of Denmark on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 4 June 2002, Art. 3(2); Agreement between the International Criminal Tribunal for the Former Yugoslavia and the Government of the Federal Republic of Germany concerning the conditions under which Mr. Kunarac's prison sentence shall be enforced, 14 November 2002, Art. 2(2); 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, 11 March 2004, Art. 3(2); Agreement between the Government of the Republic of Estonia and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 11 February 2008, Art. 3(3); Agreement between the Government of the Republic of Poland and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia, 18 September 2008, Art. 3(4); Agreement between the International Criminal Tribunal for the former Yugoslavia and the Government of the Federal Republic of Germany concerning the conditions under which Mr. Galić's prison sentence shall be enforced, 16 December 2008, Art. 2(2); Agreement between the Government of the Republic of Senegal and the United Nations on the Enforcement of Sentences Pronounced by the International Criminal Tribunal for Rwanda, 22 November 2010, Art. 3(2); Agreement between the Mechanism for International Criminal Tribunals and the Government of the Federal Republic of Germany concerning the conditions under which Mr. Đorđević's prison sentence shall be enforced, 28 July 2014, Art. 2(2); Agreement between the Mechanism for International Criminal Tribunals and the Government of the Federal Republic of Germany concerning the conditions under which Mr. Popović's prison sentence shall be enforced, 26 June 2015, Art. 2(2); Agreement between the United Nations and the Government of the Republic of Mali on the Enforcement of Sentences Pronounced by the International Criminal Tribunal for Rwanda or the International Residual Mechanism for Criminal Tribunals, 30 June 2016, Art. 3(2); Agreement between the United Nations and the Government of the Republic of Benin on the Enforcement of Sentences Pronounced by the International Criminal Tribunal for Rwanda or the International Residual Mechanism for Criminal Tribunals, 12 May 2017, Art. 3(2). Sentence enforcement agreements concluded with Member States prior to the closure of the ICTY and the ICTR apply *mutatis mutandis* to the Mechanism pursuant to Security Council Resolution 1966 (2010).

⁷ See *supra* fn. 5.

on the situation in prisons where the Convicted Persons are serving their sentences, including the following:

- (i) changes to existing measures taken to prevent and contain the spread of COVID-19;
- (ii) the number of known or suspected COVID-19 cases;
- (iii) any other information deemed relevant by the Enforcement States; and

ORDER the Registrar to provide me with the above-mentioned information upon receipt.

Done this 24th day of April 2020,
At The Hague,
The Netherlands.



Judge Carmel Agius
President

[Seal of the Mechanism]



I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	IRMCT Registry/ <i>Greffe du MIFRTP</i>	<input type="checkbox"/> Arusha/ <i>Arusha</i>	<input checked="" type="checkbox"/> The Hague/ <i>La Haye</i>
From/ De :	<input checked="" type="checkbox"/> President/ <i>Président</i>	<input type="checkbox"/> Chambers/ <i>Chambre</i>	<input type="checkbox"/> Prosecution/ <i>Bureau du Procureur</i>
	<input type="checkbox"/> Registrar/ <i>Greffier</i>	<input type="checkbox"/> Other/ <i>Autre</i>	<input type="checkbox"/> Defence/ <i>Défense</i>
Case Name/ Affaire :		Case Number/ Affaire n° :	MICT-12-01-ES
Date Created/ Daté du :	24 April 2020	Date transmitted/ Transmis le :	24 April 2020
		No. of Pages/ Nombre de pages :	4
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ <i>Anglais</i>	<input type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Other/Autre (specify/préciser) :
		<input type="checkbox"/> Kinyarwanda	<input type="checkbox"/> B/C/S
Title of Document/ Titre du document :	Order for COVID-19 updates from enforcement states		
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Unclassified/ <i>Non classifié</i>	<input type="checkbox"/> Ex Parte Defence excluded/ <i>Défense exclue</i>	
	<input type="checkbox"/> Confidential/ <i>Confidentiel</i>	<input type="checkbox"/> Ex Parte Prosecution excluded/ <i>Bureau du Procureur exclu</i>	
	<input type="checkbox"/> Strictly Confidential/ <i>Strictement confidentiel</i>	<input type="checkbox"/> Ex Parte R86(H) applicant excluded/ <i>Art. 86 H) requérant exclu</i>	
		<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ <i>Amicus curiae exclu</i>	
		<input type="checkbox"/> Ex Parte other exclusion/ <i>autre(s) partie(s) exclue(s)</i>	(specify/préciser) :
Document type/ Type de document :	<input type="checkbox"/> Motion/ <i>Requête</i>	<input type="checkbox"/> Judgement/ <i>Jugement/Arrêt</i>	<input type="checkbox"/> Book of Authorities/ <i>Recueil de sources</i>
	<input type="checkbox"/> Decision/ <i>Décision</i>	<input type="checkbox"/> Submission from parties/ <i>Écritures déposées par des parties</i>	<input type="checkbox"/> Affidavit/ <i>Déclaration sous serment</i>
	<input checked="" type="checkbox"/> Order/ <i>Ordonnance</i>	<input type="checkbox"/> Submission from non-parties/ <i>Écritures déposées par des tiers</i>	<input type="checkbox"/> Indictment/ <i>Acte d'accusation</i>
		<input type="checkbox"/> Warrant/ <i>Mandat</i>	<input type="checkbox"/> Notice of Appeal/ <i>Acte d'appel</i>

II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input type="checkbox"/> Translation not required/ <i>La traduction n'est pas requise</i>	
<input checked="" type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ <i>La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction :</i> (Word version of the document is attached/ <i>La version Word est jointe</i>)	
<input type="checkbox"/> English/ <i>Anglais</i> <input checked="" type="checkbox"/> French/ <i>Français</i> <input checked="" type="checkbox"/> Kinyarwanda <input checked="" type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre(specify/préciser) :	
<input type="checkbox"/> Filing Party hereby submits both the original and the translated version for filing, as follows/ <i>La partie déposante soumet l'original et la version traduite aux fins de dépôt, comme suit :</i>	
Original/ Original en <input type="checkbox"/> English/ <i>Anglais</i> <input type="checkbox"/> French/ <i>Français</i> <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> Other/Autre (specify/préciser) :	
	<input type="checkbox"/> B/C/S
Translation/ Traduction en <input type="checkbox"/> English/ <i>Anglais</i> <input type="checkbox"/> French/ <i>Français</i> <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> Other/Autre (specify/préciser) :	
	<input type="checkbox"/> B/C/S
<input type="checkbox"/> Filing Party will be submitting the translated version(s) in due course in the following language(s)/ <i>La partie déposante soumettra la (les) version(s) traduite(s) sous peu, dans la (les) langue(s) suivante(s) :</i>	
<input type="checkbox"/> English/ <i>Anglais</i> <input type="checkbox"/> French/ <i>Français</i> <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :	

Send completed transmission sheet to/ *Veillez soumettre cette fiche dûment remplie à :*

JudicialFilingsArusha@un.org OR/ *OU* JudicialFilingsHague@un.org

Rev: August 2019/ Rév. : Août 2019