



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations  
of International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No: IT-95-15-~~IR61~~  
Date: 20 November 1996  
Original: English

**Before:** Judge Gabrielle Kirk McDonald

**Registrar:** Mrs. Dorothee de Sampayo Garrido-Nijgh

**Order of:** 20 November 1996

**THE PROSECUTOR**

v.

**ZORAN MARINIĆ**

---

**ORDER TO SUBMIT A REPORT ON THE MEASURES  
TAKEN TO EFFECT PERSONAL SERVICE OF THE INDICTMENT**

---

**The Office of the Prosecutor:**

**Ms. Louise Arbour**

**I, Gabrielle Kirk McDonald, Judge of the International Criminal Tribunal for the Former Yugoslavia, in chambers,**

**NOTING** the indictment against Zoran Marinić dated 2 November 1995 which I confirmed on 10 November 1995,

**NOTING** the warrants of arrest ordering surrender of the accused which Judge Lal Chand Vohrah signed on 8 December 1995,

**CONSIDERING** that the above specified warrants of arrest, accompanied by the required documents, have been addressed to the authorities of the Republic of Bosnia and Herzegovina, specifically directing them to search for Zoran Marinić and to arrest him,

**NOTING** the additional warrants of arrest ordering surrender of the accused which I signed on 26 June 1996,

**CONSIDERING** that the above specified additional warrants of arrest, accompanied by the required documents, have been addressed to the authorities of the Republic of Bosnia and Herzegovina and the Republic of Croatia, specifically directing them to search for Zoran Marinić and to arrest him,

**CONSIDERING** that as of the date of this Order, neither set of warrants of arrest have been executed by the authorities to whom they were sent,

**CONSIDERING** that according to Rule 60 of the Rules of Procedure and Evidence, hereafter referred to as the Rules, the Registrar, at the request of the Prosecutor, shall transmit a form of advertisement of the indictment to the national authorities of any States which the Prosecutor considers necessary for publication in the national newspapers of the territories concerned,

**CONSIDERING** also that the wording of Rule 60 shows that the only requirement is the transmission of the form of the advertisement by the Registrar to the competent authorities without the need to prove that it was actually published,

**CONSIDERING** that according to the provisions of Rule 61, Sub-rule (A), the Judge who confirmed the indictment shall invite the Prosecutor to report on the measures he has taken if the warrants of arrest have not been executed within a reasonable time, and that such measures include the transmission of the advertisement pursuant to Rule 60,

**CONSIDERING** that the concept of reasonable time must be evaluated in respect of the circumstances specific to each case,

**CONSIDERING** that as regards this particular case, the reasonable time has elapsed ,

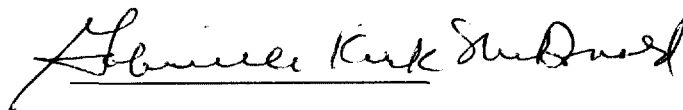
**FOR THESE REASONS, PURSUANT TO RULE 61(A),**

**INVITE** the Prosecutor to immediately initiate the procedure envisaged by Rule 60, should this not yet have been initiated in relation to the indictment against Zoran Marinić dated 2 November 1995 as confirmed on 10 November 1995;

**FURTHER INVITE** the Prosecutor to submit a written report on the measures taken pursuant to Rule 61 in relation to the indictment against Zoran Marinić dated 2 November 1995 as confirmed on 10 November 1995;

**SET** the final date for the submission of this report for 4 December 1996, or 27 November 1996 should Rule 60 have already been activated;

**GRANT** the Prosecutor a period of three days from the date of this Order to apply for an extension of time within which to comply with the Order, such application to include a statement of reasons for the necessity of this extension;



Judge Gabrielle Kirk McDonald

Dated this twentieth day of November 1996  
At The Hague  
The Netherlands

[Seal of the Tribunal]