

IT-01-47-I  
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26 July 2001

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**UNITED  
NATIONS**



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

Case No. IT-01-47-I

Date 26 July 2001

Original: English

Before: Judge Fouad Riad  
Registrar: Mr. Hans Holthuis  
Order of: 26 July 2001

**THE PROSECUTOR**

v

**ENVER HADŽIHASANOVIĆ  
MEHMED ALAGIĆ  
AMIR KUBURA**

EX-PARTE – CONFIDENTIAL

**ORDER TO MODIFY WARRANTS OF ARREST AND ORDERS FOR  
SURRENDER**

Office of the Prosecutor

Mr. Ekkehard Withopf

I, Judge Fouad Riad, Judge of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (“International Tribunal”);

**BEING SEISED** of a “Motion for Issue of Additional Warrants of Arrest Ordering Transfer Addressed to the Authorities of the Federation of Bosnia and Herzegovina and for Related Orders” (“the Motion”), filed by the Prosecutor on 20 July 2001;

**NOTING** the “Order on Review of the indictment (IT-01-47-I) Pursuant to Article 19 of the Statute and Order for Non-disclosure” in respect of **Enver HADŽIHASANOVIC, Mehmed ALAGIĆ** and **Amir KUBURA** (“the accused”) issued by me on 13 July 2001 (“the Order”) and the Warrants of Arrest and Orders for Surrender addressed to the Prosecutor and issued by me on 13 July 2001, in respect of the accused (“the Arrest Warrants”);

**CONSIDERING** that the Order provided that:

1. Copies of the arrest warrants shall be transmitted to the Prosecutor, who may transmit them to the International Stabilisation Force (“SFOR”);
2. with the exception of SFOR there shall be no public disclosure of the indictment, this decision, or the arrest warrants until the arrest warrants are served on the accused or unless further ordered. Once an arrest warrant has been served on one accused, public disclosure

- shall be limited to the indictment, supporting material and the arrest warrant specifically related to the accused;
3. the Arrest Warrants for the accused persons shall not be transmitted to the authorities of Bosnia and Herzegovina unless otherwise ordered;
  4. there shall be no public disclosure of the supporting material until further order;

**CONSIDERING** that the Motion requests that additional arrest warrants be issued in respect of the accused so that they are also addressed to the authorities of the Federation of Bosnia and Herzegovina and that copies of the arrest warrants and orders for surrender be transmitted to the Prosecutor for transmission to the authorities of the Federation of Bosnia and Herzegovina on the ground that a recent meeting with a representative of the authorities of the Federation of Bosnia and Herzegovina revealed that there is a high likelihood that the authorities of the Federation of Bosnia and Herzegovina will search for, arrest and surrender the accused;

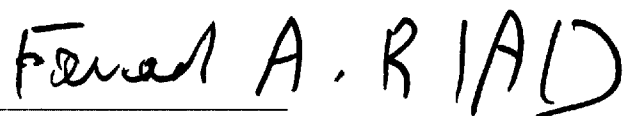
**CONSIDERING** that a reasonable ground justifying the modification of the Order and the issuance of additional Arrest Warrants in respect of the accused has been shown;

**PURSUANT** to Rules 53, 53 *bis*, 54, 55 and 59 *bis* of the Rules of Procedure and Evidence,

**HEREBY ORDER** that:

- 1- Paragraph 3 of the Order on Review of the Indictment and Order for Non-disclosure of 13 July 2001 shall be revoked;
- 2- the Arrest Warrants attached to this Order shall be transmitted immediately by the Registrar to the Prosecutor of the International Tribunal for service on the relevant authorities of the Federation of Bosnia and Herzegovina;
- 3- with the exception of SFOR and the authorities of the Federation of Bosnia and Herzegovina, there shall be no public disclosure of the indictment, this decision, or the arrest warrants until the arrest warrants are served on the accused or unless further ordered. Once an arrest warrant has been served on one accused, public disclosure shall be limited to the indictment and the arrest warrant specifically related to the accused. There shall be no public disclosure of the supporting material until further order.

Done in English and French, the English text being authoritative.



Judge Fouad Riad,  
Judge of the International Tribunal

Dated this 26<sup>th</sup> day of July 2001  
The Hague  
The Netherlands