

IT-02-58-1
D36-D35
28 MARCH 2002

36 KB

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-02-58-I

Before: Judge Wolfgang Schomburg

Registrar: Mr. Hans Holthuis

Decision of: 26 March 2002

THE PROSECUTOR

v.

LJUBIŠA BEARA

**WARRANT OF ARREST
ORDER FOR SURRENDER**

To: The Prosecutor of the International Tribunal

I, Wolfgang Schomburg, 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");

CONSIDERING United Nations Security Council Resolution 827 of 25 May 1993, Articles 19(2) and 29 of the Statute of the International Tribunal (attached hereto), and Rules 54 to 61 of the Rules of Procedure and Evidence of the International Tribunal ("Rules")(attached hereto);

CONSIDERING the indictment submitted by the Prosecutor against **LJUBIŠA BEARA** and confirmed by me, a Judge of the International Tribunal, on 26 March 2002, a copy of which is annexed to this warrant of arrest;

NOTING that the Prosecutor has good cause to believe that **LJUBIŠA BEARA** may be present in Bosnia and Herzegovina (Republika Srpska);

HEREBY AUTHORISE the Prosecutor or her representatives to search for, arrest, and surrender to the International Tribunal:

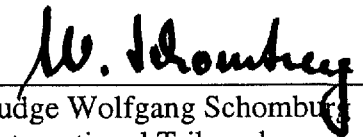
LJUBIŠA BEARA, son of Jovan; born on 14 July 1939 in Sarajevo; and former Chief of Security of the VRS Main Staff;

Alleged to have committed in and around Srebrenica between 11 July 1995 and 1 November 1995, Genocide, punishable under Articles 4(3)(a) and 7(1) of the Statute of the Tribunal, or alternatively Complicity in Genocide, punishable under Articles 4(3)(e), 7(1) of the Statute of the Tribunal; Crimes Against Humanity, punishable under Articles 5(a), 5(b), 5(h), 5(i), and 7(1) of the Statute of the Tribunal; Violations of the Laws or Customs of War, punishable under Articles 3, and 7(1) of the Statute of the Tribunal;

And to advise said **LJUBIŠA BEARA** at the time of his arrest, and in a language which he understands, of his rights as set forth in Article 21 of the Statute and, *mutatis mutandis*, in Rules 42 and 43 of the Rules, which are annexed hereto, and of his right to remain silent, and to caution him that any statement he makes shall be recorded and may be used against him in evidence. The indictment and review of the indictment (and all other documents annexed to the present warrant) must also be brought to the attention of the accused. A copy of the indictment, in a language which he understands, must be given to the accused.

REQUEST THAT the Prosecutor or her representatives, upon the arrest of **LJUBIŠA BEARA**, promptly notify the Registrar of the International Tribunal, pursuant to Rule 57, for the purposes of his transfer to the International Tribunal.

REQUEST THAT the Registrar of the International Tribunal takes care that **LJUBIŠA BEARA** be brought promptly and without delay before a Trial Chamber or permanent Judge pursuant to Rule 62.


Judge Wolfgang Schomburg
International Tribunal

Dated this twenty sixth day of March 2002
At The Hague,
The Netherlands

[Seal of the Tribunal]