

IT-96-23/2 PT  
D83-D81  
12 July 2002

83 KB

**UNITED  
NATIONS**



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-96-23/2-PT  
Date: 12 July 2002  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Wolfgang Schomburg, Presiding  
Judge Florence Ndepele Mwachande Mumba  
Judge Carmel A. Agius

**Registrar:** Mr. Hans Holthuis

**Order of:** 12 July 2002

**PROSECUTOR**

v.

**RADOVAN STANKOVIĆ**

**ORDER FOR DETENTION ON REMAND**

**The Office of the Prosecutor:**

Ms. Peggy Kuo

**Counsel for the Accused:**

Ms. Valérie Dubois

**THIS TRIAL CHAMBER** 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 (“the International Tribunal”);

**PURSUANT TO** Rule 64 of the Rules of Procedure and Evidence of the International Tribunal;

**CONSIDERING** the Indictment submitted by the Prosecutor against Radovan Stanković as confirmed by Judge Lal C. Vohrah on 26 June 1996;

**CONSIDERING** the Amended Indictment of 5 October 1999 submitted by the Prosecutor against Radovan Stanković as confirmed by Judge Nieto-Navia on 7 October 1999;

**CONSIDERING** the order and warrant signed and issued by Judge Lal C. Vohrah on 26 June 1996, directing the authorities of the Republic of Bosnia and Herzegovina – Sarajevo, to search for, arrest and surrender Radovan Stanković to the International Tribunal;

**CONSIDERING** the order and warrant signed and issued by Judge Patrick Robinson on 29 May 2001, directing the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) to search for, arrest and surrender Radovan Stanković to the International Tribunal;

**CONSIDERING** the order and warrant signed and issued by Judge O-Gon Kwon on 14 February 2002, directing the authorities of the Republika Srpska to search for, arrest and surrender Radovan Stanković to the International Tribunal;

**CONSIDERING** the ex parte order for arrest and surrender signed and issued by Judge Alphonsus Orie on 5 July 2002, directing that copies of the arrest warrant shall be transmitted to the Prosecutor who may transmit them to the International Stabilisation Force (“SFOR”) and/or to the competent authorities of any Member State of the United Nations;

**CONSIDERING** that the accused was arrested on 9 July 2002 and was brought to the Detention Unit of the United Nations International Criminal Tribunal for the Former Yugoslavia on 10 July 2002;

**CONSIDERING** that at the initial appearance of Radovan Stanković on 12 July 2002, the accused stated that he would file a motion concerning his deprivation of liberty with the assistance of Defence Counsel;

**THEREFORE ORDERS** the detention on remand of Radovan Stanković and enjoins the Commanding Officer of the United Nations Detention Unit in The Hague to detain the Accused until further order; and

**STATES** that when asked, the Accused did not request that any relative be informed of his deprivation of liberty as they had already been informed;

**STATES** that when asked, the Accused did require that the Embassy or Consulate of the State of Bosnia and Herzegovina (entity of Republika Srpska) be informed of his deprivation of liberty and ongoing detention;

**NOTING** that Article 36(1)(b) of the 1963 Vienna Convention on Consular Relations states: “if he so requests, the competent authorities of the receiving State shall, without delay, inform the consular post of the sending State if, within its consular district, a national of that State is arrested or committed to prison or to custody pending trial or is detained in any other manner. Any communication addressed to the consular post by the person arrested, in prison, custody or detention shall also be forwarded by the said authorities without delay. The said authorities shall inform the person concerned without delay of his rights under this sub-paragraph”;

**NOTING** that this Rule must be applied analogously;

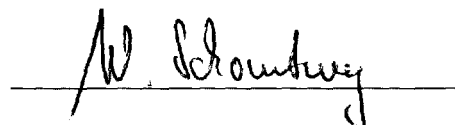
**HEREBY ORDERS** the Registry to inform the Embassy of Bosnia and Herzegovina in The Hague of the deprivation of liberty and ongoing detention of Radovan Stanković.

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

Dated this twelfth day of July 2002

At The Hague

The Netherlands



**Judge Wolfgang Schomburg**

**Presiding**

**[Seal of the Tribunal]**