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D2597-D2596
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**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-03-69-I

Before: Judge Carmel Agius

Registrar: Mr. Hans Holthuis

Decision of: 1 May 2003

THE PROSECUTOR

v.

FRANKO SIMATOVIĆ

**WARRANT OF ARREST
ORDER FOR SURRENDER**

To: the Authorities of Serbia and Montenegro

I, Judge Carmel Agius 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");

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

CONSIDERING the indictment submitted by the Prosecutor against **FRANKO SIMATOVIĆ** and confirmed by me, a Judge of the International Tribunal, on 1 May 2003, a copy of which is annexed to this warrant of arrest;

HEREBY DIRECT the Authorities of Serbia and Montenegro, to search for, arrest and surrender to the International Tribunal:

FRANKO SIMATOVIĆ, also known as "Frenki", born on 1 April 1950 in Belgrade, Republic of Serbia. He commenced work with the State Security Service (*Državna bezbednost* or "DB") of the Ministry of the Internal Affairs of the Republic of Serbia (*Ministarstvo Unutrašnjih Poslava* or "MUP") in 1978 and worked in various roles until 2001. During the time relevant to the Indictment he initially worked counter intelligence

and then moved into the newly formed Intelligence Administration (or Second Administration) of the DB and as such was the commander of the Special Operations Unit of the DB;

Alleged to have committed, after 1 January 1991, in the territory of Bosnia and Herzegovina and the Republic of Croatia, crimes against humanity, punishable under Articles 5 and 7(1) of the Statute, and violations of the laws or customs of war, punishable under Articles 3 and 7(1) of the Statute;

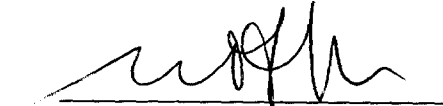
And to advise the said **FRANKO SIMATOVIĆ** at the time of his arrest, in a language which he understands, of his rights as set forth in Article 21 of the Statute and, *mutatis mutandis*, in Rules 42 and 43 of the Rules, which are annexed hereto, and of his right to remain silent, and to caution him 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 of arrest) must also be brought to his attention. A copy of the indictment, in a language which he understands, must be given to him.

DIRECT the Authorities of Serbia and Montenegro, the Prosecutor or her representatives, upon the arrest of **FRANKO SIMATOVIĆ**, to promptly notify the Registrar of the International Tribunal, pursuant to Rule 57, for the purposes of his transfer to the International Tribunal.

DIRECT the Registrar of the International Tribunal to ensure that **FRANKO SIMATOVIĆ** is brought promptly and without delay before a Trial Chamber or permanent Judge pursuant to Rule 62.

DIRECT the Authorities of Serbia and Montenegro to report forthwith to the Registrar of the International Tribunal if they are unable to execute the present warrant of arrest, indicating the reasons for such non-execution, pursuant to Rule 59 (A) of the Rules.

Dated this first day of May 2003
At The Hague,
The Netherlands



Judge Carmel Agius

[Seal of the Tribunal]