



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: IT-98-33-I
Date: 12 January 2004
Original: English

BEFORE THE DUTY JUDGE

Before: Judge Liu Daqun

Registrar: Mr. Hans Holthuis

Decision of: 12 January 2004

THE PROSECUTOR

v.

VINKO PANDUREVIĆ

**WARRANT OF ARREST
And
ORDER FOR SURRENDER**

TO: The Authorities of any member State of the United Nations

I, **Liu Daqun**, 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 (the “International Tribunal”);

HAVING BEEN DESIGNATED as the duty Judge by the President of the International Tribunal pursuant to Rule 28 of the Rules of Procedure and Evidence (“the Rules”) for the period from 12 December 2003 to 19 December 2003 and for the period from 9 January 2004 to 16 January 2004;

BEING SEIZED of a motion filed on 10 December 2003 by the Office of the Prosecutor, whereby the Prosecution requests that:

- 1) the duty Judge to issue a warrant of arrest and order for surrender for **VINKO PANDUREVIĆ** (the “Accused”), which would be addressed to the authorities of *any* member State of the United Nations;
- 2) the duty Judge order that copies of the warrant of arrest be transmitted to the Office of the Prosecutor, which may deliver them to the competent authorities to any member State of the United Nations in whose territory or under whose jurisdiction each the Accused resides, or was last known to be, or is believed by the Prosecution to be likely to be found;

NOTING that, notwithstanding the fact that the Prosecution’s motion was erroneously addressed to me at the time it was filed, I have agreed to deal with it;

NOTING that the indictment submitted by the Prosecution against **VINKO PANDUREVIĆ** was confirmed by Judge Mumba on 2 November 1998, a copy of which is annexed to this warrant of arrest and order for surrender;

NOTING the previous warrants of arrest and orders for surrender issued in this case and specifically addressed to some States and to the Office of the Prosecutor;

RECALLING Rule 55 of the Rules entitled “Execution of Arrest Warrants” and Rule 59*bis* of the Rules entitled “Transmission of Arrest Warrants”;

TAKING INTO ACCOUNT that, according to Rule 59*bis* of the Rules, a permanent Judge may order the Registrar to transmit to an appropriate authority or international body or the Prosecutor a copy of a warrant for the arrest of an accused, *on such terms as the Judge may determine*;

CONSIDERING that, although some member State of the United Nations may already have received copies of the arrest warrants, it is necessary to amend the previous arrest warrants in view of the Prosecution's requests since they did not direct the authorities of any member State of the United Nations to search for, arrest and surrender the Accused to the Tribunal;

CONSIDERING FURTHER that, for reasons of urgency, it is appropriate to authorise, pursuant to Rule 59*bis*, the Prosecutor to directly transmit this warrant of arrest and order for surrender to the competent authorities to which this order is addressed;

PURSUANT TO United Nations Security Council Resolution 827 of 25 May 1993, Articles 19(2) and 29 of the Statute of the International Tribunal (the "Statute") and Rules 28, 54, 55 and 59*bis* of the Rules;

HEREBY

DIRECT AND AUTHORISE the competent authorities of any member State of the United Nations, to which this warrant is transmitted to search for, arrest, detain and surrender to the International Tribunal:

VINKO PANDUREVIĆ, born on 25 June 1959 in Jasik-Sokolac, rose to the rank of Captain First Class (Infantry Branch) in the JNA. When the armed conflict began in Bosnia and Herzegovina, he was appointed the Commander of the VRS forces in Višegrad, later to be named the 1st Višegrad Light Infantry Brigade. From 12 December 1992 through November 1996, he was the Commander of the 1st Zvornik Light Infantry Brigade (Zvornik Brigade). He was promoted to General-Major in June 1997 and was a member of the VRS General Staff until he was relieved in April 1998. His identification number is 2506959173409;

Alleged to have committed, between 11 July 1995 and 1 November 1995, in and around Srebrenica, genocide, punishable under Articles 4(3)(a) and 7(1) of the Statute, or alternatively, complicity in genocide, punishable under Articles 4(3)(e) and 7(1) of the Statute; crimes against humanity, punishable under Articles 5(a), 5(b), 5(h), 5(i) 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 **VINKO PANDUREVIĆ** at the time of his arrest, in a language that 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 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 the attention of **VINKO PANDUREVIĆ**. A copy of the indictment, in a language that he understands, must be given to him.

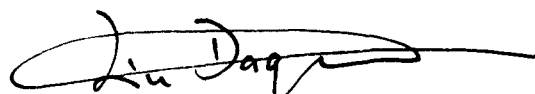
REQUEST that, upon the arrest of **VINKO PANDUREVIĆ**, the authorities of any member State of the United Nations executing this warrant promptly notify the Registrar of the International Tribunal so that he may be transferred to the International Tribunal pursuant to Rule 57 of the Rules;

REQUEST the authorities of any member State of the United Nations in whose territory or under whose jurisdiction **VINKO PANDUREVIĆ** resides, or was last known to be, or is believed by the Prosecution to be likely to be found and to which this warrant is transmitted, to report forthwith to the Registrar of the International Tribunal if they are unable to execute this warrant of arrest and to indicate the reasons for such non-execution, pursuant to Rule 59 (A) of the Rules;

ORDER the Registrar to transmit to the Prosecutor a copy of this warrant for arrest and order for surrender, in order for the Prosecutor to be in the position to deliver this warrant of arrest and order for surrender to the competent authorities of any member State of the United Nations in whose territory or under whose jurisdiction **VINKO PANDUREVIĆ** resides, or was last known to be, or is believed by the Prosecution to be likely to be found;

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

Dated this 12th day of January 2004
At The Hague,
The Netherlands



Judge Liu Daqun

[Seal of the Tribunal]