



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-98-32-I  
Date: 12 January 2004  
Original: English

13a

**BEFORE THE DUTY JUDGE**

Before: Judge Liu Daqun

Registrar: Mr. Hans Holthuis

Decision of: 12 January 2004

**THE PROSECUTOR**

v.

**SREDOJE LUKIĆ**

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**WARRANT OF ARREST  
And  
ORDER FOR SURRENDER**

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**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 **SREDOJE LUKIĆ** (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 **SREDOJE LUKIĆ** was confirmed by Judge Rodrigues on 26 October 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 a State 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:

**SREDOJE LUKIĆ**, son of Đorđe, born on 5 April 1961 in Rejište, Višegrad municipality. Before the war, he worked as a policeman in Višegrad. After the war started, he joined a paramilitary unit sometimes referred to as the "White Eagles".

Alleged to have committed, from in or about April 1992 through to in or about October 1994, in the territory of Bosnia and Herzegovina, Violations of the Laws or Customs of War and Crimes against Humanity, punishable under Articles 3 and 5 of the Statute;

And to advise **SREDOJE LUKIĆ** 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 **SREDOJE LUKIĆ**. A copy of the indictment, in a language that he understands, must be given to him.

**REQUEST** that, upon the arrest of **SREDOJE LUKIĆ**, 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 **SREDOJE LUKIĆ** 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 **SREDOJE LUKIĆ** 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 12<sup>th</sup> day of January 2004  
At The Hague,  
The Netherlands

  
Judge Liu Daqun

[Seal of the Tribunal]