



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-03-73-I  
Date: 24 February 2004  
Original: English

**BEFORE A JUDGE OF A TRIAL CHAMBER**

**Before:** Judge Kevin Parker  
**Registrar:** Mr. Hans Holthuis  
**Decision:** 24 February 2004

**PROSECUTOR**

v.

**IVAN ČERMAK**

**MLADEN MARKAČ**

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***EX PARTE-UNDER SEAL***

**WARRANT OF ARREST  
ORDER FOR SURRENDER**

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**To: The authorities of any Member State of the United Nations**

A handwritten signature in black ink, appearing to be 'K.P.' or similar initials.

I, Kevin Parker, 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”);

**HAVING BEEN DESIGNATED** as the reviewing Judge by the President of the International Tribunal pursuant to Rule 28 of the Rules of Procedure and Evidence (“Rules”) on 23 January 2004;

**BEING SEISED** of a “Motion for Issuance of an Indictment under Seal of Confidentiality and for Orders for Surrender and the Transmission of Arrest Warrants and Orders of Surrender” filed *ex parte* and confidentially on 19 December 2003 and of an Amendment to the above motion dated 17 February 2004 and filed on 19 February 2004;

**NOTING** the Indictment against **IVAN ČERMAK** and **MLADEN MARKAČ** submitted by the Office of the Prosecutor (“Prosecutor”) and confirmed by me on 24 February 2004;

**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, 55 to 59*bis* of the Rules of Procedure and Evidence (“Rules”);

**HEREBY DIRECT** the authorities of any Member State of the United Nations to search for, arrest, and surrender to the International Tribunal:

**MLADEN MARKAČ** born on 8 May 1955 in Đurđevac, in the Municipality of Đurđevac in the Republic of Croatia, a retired Colonel General of the Croatian army, retired Major/Colonel, Commander and Assistant Minister of the Interior of the Republic of Croatia;

Alleged to have committed crimes against humanity punishable under Article 5 and violations of the laws or customs of war punishable under Article 3 of the Statute, in the territory of the Republic of Croatia, between 4 August 1995 and 15 November 1995;

And to advise the said **MLADEN MARKAČ** at the time of his arrest in a language that he understands of his rights set forth in Article 21 of the Statute, and, *mutatis mutandis*, in Rules 42 and 43 of the Rules which are annexed hereto, 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 the Decision on Review of the Indictment and all other documents annexed to the present arrest warrant must also be brought to the attention of the accused and a copy of said Indictment, in a language he understands, must be handed to him;



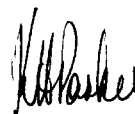
**REQUEST** that the authorities of any Member State of the United Nations, upon the arrest of **MLADEN MARKAČ**, promptly notify the Registrar of the International Tribunal, for the purposes of his transfer to the seat of the International Tribunal pursuant to Rule 57 of the Rules;

**REQUEST** that the authorities of any Member State of the United Nations report forthwith to the Registrar of the International Tribunal if they are unable to execute the present warrant of arrest, indicating the reasons for their inability pursuant to Rule 59(A) of the Rules.

With the exception of the persons or entities designated by the authorities of the Member State of the United Nations to which this Warrant is transmitted, there shall be no public disclosure of this Warrant of Arrest and the accompanying materials until further ordered;

**HEREBY AUTHORISE** the Prosecutor to deliver this Warrant of Arrest to the authorities of any Member State of the United Nations in whose territory or under whose jurisdiction **MLADEN MARKAČ** is believed by the Prosecutor to be likely to be found.

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



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Kevin Parker,  
Judge of the  
International Tribunal

Dated this twenty-fourth day of February 2004  
At The Hague,  
The Netherlands

**[Seal of the Tribunal]**