



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-01-45-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.

ANTE GOTOVINA

EX PARTE-UNDER SEAL

**WARRANT OF ARREST
ORDER FOR SURRENDER**

To: The authorities of the Republic of Croatia

A handwritten signature in black ink, appearing to be 'KAP'.

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 by the President of the International Tribunal on 23 January 2004 to consider the “Motion for Issue of an Amended Indictment under Seal of Confidentiality” filed, *ex parte* and confidentially, on 19 December 2003 by the Office of the Prosecutor (“Prosecutor”) in the case of *Prosecutor v. Ante Gotovina*, Case No. IT-01-45-I;

NOTING the Prosecutor’s submission in respect of that motion, filed on 19 February 2004 seeking, *inter alia*, issuance of a Warrant of Arrest and an Order for Surrender pertaining to the Amended Indictment, addressed to the authorities of the Republic of Croatia;

NOTING the Amended Indictment against **ANTE GOTOVINA** submitted by the Office of the Prosecutor (“Prosecutor”) and the Decision, granting leave to amend the Indictment and confirming the Amended Indictment, issued 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 the Republic of Croatia to search for, arrest, and surrender to the International Tribunal:

ANTE GOTOVINA born on 12 October 1955 on the island of Pašman within the Municipality of Zadar, in the Republic of Croatia, currently a retired Colonel General of the Croatian army;

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 **ANTE GOTOVINA** 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 Amended Indictment and the Decision on Leave to Amend the Indictment and on Confirmation of the Amended Indictment and all other documents annexed to the present Warrant of Arrest must also be brought to the attention of the accused and a copy of said Amended Indictment, in a language he



understands, must be handed to him;

REQUEST that the authorities of the Republic of Croatia, upon the arrest of **ANTE GOTOVINA**, 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 the Republic of Croatia 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 Republic of Croatia there shall be no public disclosure of this Warrant of Arrest and the accompanying materials until they are served on the Accused or until further order;

HEREBY AUTHORISE the Prosecutor to deliver this Warrant of Arrest to the authorities of the Republic of Croatia.

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



Kevin Parker,
Judge of the
International Tribunal

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

[Seal of the Tribunal]