

**UNITED  
NATIONS**

IT-99-36-1  
D 4-1/23668 lis  
08 October 2004

4/23668 lis

HB



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 No.: IT-99-36-I  
Date: 7 October 2004  
Original: English  
French

**BEFORE A JUDGE OF THE TRIBUNAL**

**Before: Judge Jean-Claude Antonetti**

**Registrar: Mr Hans Holthuis**

**Decision of: 7 October 2004**

**THE PROSECUTOR**

**v.**

**STOJAN ŽUPLJANIN**

**WARRANT OF ARREST AND ORDER FOR SURRENDER  
WITHDRAWAL OF PREVIOUS WARRANT OF ARREST**

***confidential***

**To: the authorities of Serbia and Montenegro**

**I, Jean-Claude Antonetti**, 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 APPOINTED** Reviewing Judge in this case in a confidential and *ex parte* Order of the President of the International Tribunal dated 28 September 2004, pursuant to Rule 50(A)(i)(b) of the Rules of Procedure and Evidence (“Rules”),

**NOTING** 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;

**NOTING** the second amended indictment submitted by the Office of the Prosecutor (“Prosecution”) against **Stojan Župljanin** and confirmed by me, a Judge of the International Tribunal, on 5 October 2004, a copy of which is annexed to this warrant of arrest;

**CONSIDERING** the confidential Prosecution’s Request for Issuance of Warrant of Arrest and Order for Surrender against **Stojan Župljanin** filed *ex parte* on 29 September 2004 (“Request”),

**CONSIDERING** the confidential Modification to Prosecution’s Request for Issuance of Warrant of Arrest and Order for Surrender filed *ex parte* on 30 September 2004,

**CONSIDERING** the Warrant of Arrest and Order for Surrender of 15 January 2001 addressed to the authorities of the Federal Republic of Yugoslavia, now known as “Serbia and Montenegro”,

**HAVING HEARD** the Prosecution on 28, 29, 30 September 2004 and on 1 and 4 October 2004,

**CONSIDERING** that in view of the appreciably different nature of the charges brought against **Stojan Župljanin** in the second amended indictment confirmed by me on 5 October 2004, a new warrant of arrest and order for surrender against **Stojan Župljanin** should be issued, replacing the warrant of arrest and order for surrender of 15 January 2001,

**CONSIDERING** that the new warrant of arrest should temporarily not be disclosed in order to facilitate its efficient implementation by the Registrar and the requisite

authorities, and also to allow the Prosecution, by means of a copy of the warrant of arrest, to assist, if necessary, in the operations conducted on the ground by the requisite authorities,

**CONSIDERING**, consequently, that the warrant of arrest issued today shall remain **confidential** until 1 December 2004, on which date it shall be made public,

**FOR THE FOREGOING REASONS,**

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

**Stojan Župljanin**, born in 1951, in the village of Maslovare, Kotor Varoš Municipality, in Bosnia and Herzegovina; graduated from law school in Sarajevo and employed by the Banja Luka Secretariat of the Interior (SUP); from 1991 on he served as the head or commander of the Regional Security Services Centre (CSB) in Banja Luka; in 1992, he was a member of the Autonomous Region of Krajina (ARK) Crisis Staff and later served as a special advisor to the President of *Republika Srpska*,

Who is alleged to have committed in the territory of Bosnia and Herzegovina, between 1 April 1992 and 31 December 1992, crimes against humanity punishable under Article 5 of the Statute and violations of the laws or customs of war punishable under Article 3 of the Statute,

And to advise the said **Stojan Župljanin** at the time of his arrest, in a language that he understands, of all his rights as set forth in Article 21 of the Statute and, *mutatis mutandis*, Rules 42 and 43 of the Rules, which are annexed hereto, of his right to remain silent, to caution him that any statement he makes shall be recorded and may be used in evidence, and to bring to his attention in a language which he understands the second amended indictment and authorisation to amend the amended indictment (as well as all other documents annexed to the present warrant of arrest),

**REQUEST** that, upon the arrest of **Stojan Župljanin**, the authorities of Serbia and Montenegro promptly notify the Registrar of the International Tribunal for the purpose of his transfer to the seat of the International Tribunal pursuant to Rule 57 of the Rules,

**REQUEST** also that the authorities of Serbia and Montenegro report forthwith to the Registrar of the International Tribunal if they are unable to execute the present warrant of arrest indicating the reasons for its inability, pursuant to Rule 59(A) of the Rules,

**CALL UPON** the Registrar of the International Tribunal to transmit a copy of this warrant of arrest and order for surrender to the authorities of Serbia and Montenegro,

**CALL UPON** the Registrar of the International Tribunal to ensure that **Stojan Župljanin** is brought without delay before a Trial Chamber or a permanent Judge, pursuant to Rule 62 of the Rules,

**WITHDRAW** the warrant of arrest and order for surrender of 15 January 2001,

**SUBSTITUTE** that warrant with this present warrant of arrest and order for surrender,

**AND ORDER** that this warrant of arrest not be disclosed to the public until 1 December 2004.

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

/signed/

Jean-Claude Antonetti

Judge of the International Tribunal

Dated this seventh day of October 2004  
At The Hague  
The Netherlands

[Seal of the Tribunal]