

IT-04-79-I
D13020-D13017
25 FEBRUARY 2005

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**UNITED
NATIONS**



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-04-79-I
Date: 25 February 2005
Original: English

BEFORE A JUDGE OF THE TRIBUNAL

Before: Judge Amin El Mahdi
Registrar: Mr. Hans Holthuis
Order of: 25 February 2005

PROSECUTOR

v.

MIĆO STANIŠIĆ

UNDER SEAL

**WARRANT OF ARREST
ORDER FOR SURRENDER**

The Office of the Prosecutor:

Ms. Carla Del Ponte
Mr. Alan Tieger

To: The Authorities of Serbia and Montenegro

Case No. IT-04-79-I

25 February 2005

I, Judge Amin El Mahdi, 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 by order of 24 January 2005 pursuant to Article 19 of the Statute of the International Tribunal (“Statute”) and Rules 28 and 47 of the Rules of Procedure and Evidence (“Rules”);

BEING SEIZED of the “Prosecutor’s Motion for Confirmation of the Indictment, for Issuance of Arrest Warrant, and for Non-Disclosure of Supporting Material until Further Order” (“Motion”), submitted under seal on 16 December 2004 by the Office of the Prosecutor (“Prosecutor”), requesting *inter alia* a Warrant of Arrest and Order for Surrender for **MİĆO STANIŠIĆ** addressed to the authorities of Serbia and Montenegro;

NOTING that the Prosecutor submitted an indictment against **MİĆO STANIŠIĆ** on 16 December 2004, and that a revised version thereof was submitted on 24 February 2005 (“Indictment”);

NOTING that the Indictment was confirmed on 25 February 2005, a copy of which is annexed to this Warrant of Arrest and Order for Surrender;

PURSUANT TO United Nations Security Council Resolution 827 of 25 May 1993, Articles 19(2) and 29 of the Statute, and Rules 47 and 53 to 59 *bis* of the Rules;

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*;

NOTING the Order on Warrant of Arrest and Order for Surrender, issued on 25 February 2005;

HEREBY DIRECT AND AUTHORISE the competent authorities of Serbia and Montenegro to which this warrant is transmitted to search for, arrest, detain and surrender to the International Tribunal:

MIĆO STANIŠIĆ, born on 30 June 1954, in the village of Ponor, Pale Municipality, in Bosnia and Herzegovina; graduated from law school in Sarajevo; from 21 December 1991, Minister Without Portfolio of the Council of Ministers which was named by the Assembly of the Serbian People of Bosnia and Herzegovina; from 1 April 1992, Minister of the newly established Ministry of Internal Affairs of the Serbian Republic of Bosnia and Herzegovina.

Alleged to have committed, in the period from 1 April 1992 to 31 December 1992, in the territory of Bosnia and Herzegovina, Crimes Against Humanity, punishable under Articles 5 and 7(1) and 7(3) of the Statute; and Violations of the Laws or Customs of War, punishable under Articles 3 and 7(1) and 7(3) of the Statute.

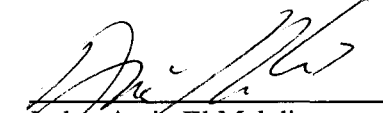
And to advise **MIĆO STANIŠIĆ** at the time of his arrest, in a language that he understands, of his rights as set forth in Article 21 of the Statute and, *mutatis mutandis*, in Rules 42 and 43 of the Rules, which are annexed hereto, and of his right to remain silent, and to caution him that any statement 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 **MIĆO STANIŠIĆ**. A copy of the indictment, in a language that he understands, must be given to him;

REQUEST that, upon the arrest of **MIĆO STANIŠIĆ**, the authorities of Serbia and Montenegro 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 Serbia and Montenegro 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;

AND ORDER that this Warrant of Arrest and Order for Surrender remain under seal until further order.

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



Judge Amin El Mahdi
International Tribunal

Dated this twenty-fifth day of February 2005
At The Hague
The Netherlands