



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-03-67-T  
Date: 13 May 2008  
Original: ENGLISH  
French

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**IN TRIAL CHAMBER III**

**Before:** Judge Jean-Claude Antonetti, Presiding  
Judge Frederik Harhoff  
Judge Flavia Lattanzi

**Registrar:** Mr Hans Holthuis

**Order of:** 13 May 2008

**THE PROSECUTOR**

v.

**VOJISLAV ŠEŠELJ**

***CONFIDENTIAL DOCUMENT***

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**WARRANT TO ARREST AND TRANSFER LJUBIŠA PETKOVIĆ**

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**The Office of the Prosecutor:**

Mr Daryl Mundis

**The Accused:**

Mr Vojislav Šešelj

**The Republic of Serbia**

**Ljubiša Petković**

**TRIAL CHAMBER III** ("Chamber") 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 ("Tribunal");

**NOTING** the Order in Lieu of an Indictment for Contempt Against Ljubiša Petković, issued by the Chamber on 13 May 2008 in which Ljubiša Petković is summoned to appear before the Chamber on 27 May 2008 in order to answer to the charge of contempt of the Tribunal and annexed to the present warrant;

**NOTING** Rules 47 (H), 54 and 55 of the Rules allowing the Chamber to issue arrest warrants;

**NOTING** furthermore Rule 56 of the Rules according to which "[t]he State to which a warrant of arrest or a transfer order for a witness is transmitted shall act promptly and with all due diligence to ensure proper and effective execution thereof, in accordance with Article 29 of the Statute";

**CONSIDERING** that Ljubiša Petković has twice failed in his obligation to respect a summons issued by the Chamber;<sup>1</sup>

**CONSIDERING** that the Chamber has serious reasons to believe that Ljubiša Petković will not appear of his own free will to answer the charge of contempt brought against him;

**CONSIDERING** that the pseudonym VS-011 has been assigned to Ljubiša Petković until his testimony<sup>2</sup> and that the confidentiality of the present arrest warrant should be maintained until the said witness appears;

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<sup>1</sup> Subpoena, confidential and *ex parte*, 3 December 2007; Subpoena, confidential, 7 April 2008.

<sup>2</sup> Decision on Adopting Protective Measures, confidential, 30 August 2008, p. 8.

**FOR THE FOREGOING REASONS****PURSUANT TO** Rules 47 (H), 54 and 55 of the Rules**ORDERS** the competent authorities of the Republic of Serbia:

(i) to search for, arrest, detain and transfer to the seat of the Tribunal Ljubiša Petković, born on 29 November 1952 in Deronje (Vojvodina, Serbia);

(ii) to inform him when he is arrested in a language he understands of the charge brought against him as set out in the Order in Lieu of an Indictment rendered by the Chamber on 13 May 2008, of his rights as provided in Article 21 of the Statute (in Annex) and in particular to warn him that any statement he gives may be used against him;

(iii) to execute the present arrest warrant as soon as possible, pursuant to Rules 56 and 57 of the Rules, to immediately inform the Registrar of the Tribunal of Ljubiša Petković's arrest and to make all necessary arrangements with the Registrar for his transfer to the seat of the Tribunal in order to enable his appearance before the Chamber on 27 May 2008;

(iv) pursuant to Rule 59 (A) of the Rules, should the authorities be unable to execute the present arrest warrant, to so inform the Registrar of the Tribunal without delay.

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

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/signed/

Jean-Claude Antonetti  
Presiding Judge

Done this thirteenth day of May 2008  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

**CONFIDENTIAL**

**ANNEX**

## **Article 21 of the Statute of the Tribunal**

### **Rights of the accused**

1. All persons shall be equal before the International Tribunal.
2. In the determination of charges against him, the accused shall be entitled to a fair and public hearing, subject to article 22 of the Statute.
3. The accused shall be presumed innocent until proved guilty according to the provisions of the present Statute.
4. In the determination of any charge against the accused pursuant to the present Statute, the accused shall be entitled to the following minimum guarantees, in full equality:
  - (a) to be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him;
  - (b) to have adequate time and facilities for the preparation of his defence and to communicate with counsel of his own choosing;
  - (c) to be tried without undue delay;
  - (d) to be tried in his presence, and to defend himself in person or through legal assistance of his own choosing; to be informed, if he does not have legal assistance, of this right; and to have legal assistance assigned to him, in any case where the interests of justice so require, and without payment by him in any such case if he does not have sufficient means to pay for it;
  - (e) to examine, or have examined, the witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
  - (f) to have the free assistance of an interpreter if he cannot understand or speak the language used in the International Tribunal;
  - (g) not to be compelled to testify against himself or to confess guilt.