



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-95-5/18-R77.2

Date: 14 December 2011

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Order of: 14 December 2011

IN THE CONTEMPT CASE OF MILAN TUPAJIĆ

PUBLIC

**PUBLIC REDACTED VERSION OF “WARRANT OF ARREST AND ORDER FOR
SURRENDER” ISSUED ON 30 NOVEMBER 2011**

Office of the Prosecutor in Case IT-95-5/18-T

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Government of Bosnia and Herzegovina

via the Embassy of Bosnia and Herzegovina to
The Netherlands, The Hague

The Accused in Case IT-95-5/18-T

Mr. Radovan Karadžić

**The Government of the Kingdom of the
Netherlands**

Attn: The Ministry of Foreign Affairs

Standby Counsel in Case IT-95-5/18-T

Mr. Richard Harvey

THIS TRIAL CHAMBER of the International Criminal 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 Indictment” in the contempt case concerning Milan Tupajić issued by the Chamber on 29 November 2011;

PURSUANT TO Rules 54, 55, 56, 57, 58, 59, 59*bis* and 77 of the Tribunal’s Rules of Procedure and Evidence and Articles 19, 21 and 29 of the Statute of the Tribunal,

HEREBY ISSUES an arrest warrant and **DIRECTS AND AUTHORISES** the competent authorities in Bosnia and Herzegovina to whom this warrant is transmitted to search for, arrest, detain, and surrender promptly to the Tribunal:

MILAN TUPAJIĆ, born 2 June 1954 at Knežina, Sokolac, Bosnia and Herzegovina, [REDACTED], whose prosecution is being pursued for:

having been informed on 5 October 2011 and 8 November 2011, respectively, of the contents of the two subpoenas dated 23 September 2011 and 3 November 2011, and of his obligation to appear before the Trial Chamber or to show good cause why he could not comply with the two subpoenas and therefore knowingly and wilfully interfering with the administration of justice by refusing to comply with the Chamber’s First Subpoena of 23 September 2011 and Second Subpoena of 3 November 2011;

REQUESTS the competent authorities of Bosnia and Herzegovina to advise Milan Tupajić, at the time of his arrest and 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 in English and BCS, 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;

REQUESTS the Registrar of the Tribunal to negotiate with the relevant authorities of Bosnia and Herzegovina and the Kingdom of the Netherlands to arrange for the transfer of Milan Tupajić to the seat of the Tribunal;

REQUESTS the competent authorities of Bosnia and Herzegovina to execute this warrant promptly pursuant to Rule 56 of the Rules, and to notify the Registrar of the Tribunal of the

arrest of Milan Tupajić pursuant to Rule 57 of the Rules, and to arrange with the Registrar of the Tribunal and the Kingdom of the Netherlands for his transfer to the seat of the Tribunal;

REQUESTS the competent authorities of Bosnia and Herzegovina to escort Milan Tupajić to an airport in Bosnia and Herzegovina, to escort him on the aeroplane to an airport in the Kingdom of the Netherlands, and to hand him over to the authorities of the Kingdom of the Netherlands pursuant to further agreement with the Registrar of the Tribunal and the authorities of the Kingdom of the Netherlands;

REQUESTS the authorities of the Kingdom of the Netherlands to take Milan Tupajić into custody at such airport and escort him to the seat of the Tribunal pursuant to further agreement with the Registrar of the Tribunal and the authorities in the Netherlands;

REQUESTS the authorities of Bosnia and Herzegovina to immediately report to the Registrar of the 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.

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



Judge O-Gon Kwon
Presiding

Dated this fourteenth day of December 2011
At The Hague
The Netherlands

[Seal of the Tribunal]