

**UNITED
NATIONS**



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-R77.5
Date: 5 October 2016
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orié, Presiding
Judge Bakone Justice Moloto
Judge Christoph Flügge

Registrar: Mr John Hocking

Decision of: 5 October 2016

IN THE CASE AGAINST

**PETAR JOJIĆ
JOVO OSTOJIĆ
VJERICA RADETA**

CONFIDENTIAL AND EX PARTE

**INTERNATIONAL ARREST WARRANT AND ORDER FOR
SURRENDER**

To all United Nations Member States

Amicus Curiae Prosecutor
Ms Diana Ellis, QC

TRIAL CHAMBER I 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”);

CONSIDERING Article 29 of the Statute of the Tribunal (“Statute”) as well as Rules 54, 56 to 59 *bis* and 61 of the Rules of Procedure and Evidence of the Tribunal (“Rules”);

NOTING the “Further Decision on Order in Lieu of Indictment” (“Indictment”) charging Petar Jojić, Jovo Ostojić, and Vjerica Radeta with contempt of the Tribunal pursuant to Rule 77(A)(iv) of the Rules;¹

NOTING the warrant of arrest and order for surrender directed to the Republic of Serbia (“Serbia”) in relation to Jovo Ostojić, filed on 19 January 2015 (“Arrest Warrant”);²

NOTING the Chamber’s decision of 25 August 2015, in which it advised the President of the Tribunal that the lack of action by Serbia can only be interpreted as harbouring an unwillingness to execute the Arrest Warrant;³

NOTING the Chamber’s decision of 2 August 2016, in which it ordered Serbia to comply with its obligations under Article 29 of the Statute;⁴

NOTING the Chamber’s decision of 14 September 2016, in which it advised the President of the Tribunal of Serbia’s continued failure to comply with its obligations under Article 29 of the Statute;⁵

CONSIDERING that issuing an international arrest warrant may contribute to ensuring that the course of justice is not further obstructed;

HEREBY DIRECTS the authorities and all officers and agents of all United Nations Member States (“UN Member States”) to act promptly with all due diligence to secure the arrest, detention, and transfer to the Tribunal of:

¹ Further Decision on Order in Lieu of Indictment, 5 December 2014 (Confidential and *Ex Parte*).

² Warrant of Arrest and Order for Surrender of Jovo Ostojić, 19 January 2015 (Confidential and *Ex Parte*).

³ Decision Advising the President of the Tribunal of the Republic of Serbia’s Failure to Cooperate with the Tribunal, 25 August 2015 (Confidential and *Ex Parte*), p. 2.

⁴ Decision in Relation to the Cooperation of the Government of the Republic of Serbia with the Tribunal, 2 August 2016, paras 10-11.

⁵ Decision Advising the Tribunal’s President of the Republic of Serbia’s Continued Failure to Cooperate with the Tribunal, 14 September 2016.

Jovo OSTOJIĆ, son of Aleksa, born on 3 January 1952 in Preigrevica, Apatin Municipality, Serbia.

ALLEGED to have committed the following crime:

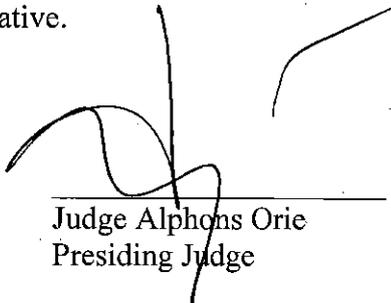
contempt of the Tribunal pursuant to Rule 77(A)(iv) of the Rules by interfering with a witness;

FURTHER ORDERS that the authorities of all UN Member States, upon the arrest of the Accused Jovo Ostojić, promptly notify the Registrar of the Tribunal.

DIRECTS the authorities and all officers and agents of all UN Member States to advise Jovo Ostojić, at the time of his arrest and in a language 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, and to present him with the version of the Indictment attached to the Arrest Warrant; and

INSTRUCTS the Registrar to attach to this warrant copies of Article 21 of the Statute, Rules 42 and 43 of the Rules, and the version of the Indictment attached to the Arrest Warrant in English and B/C/S.

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



Judge Alphons Orie
Presiding Judge

Dated this fifth day of October 2016
At The Hague
The Netherlands

[Seal of the Tribunal]