

IT-95-5/18-I

11129

D 11129- D 11127

pk

11 SEPTEMBER 2003

**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-95-05/18
Date: 11 September
2003
Original: English

BEFORE THE DUTY JUDGE

Before: Judge Richard May

Registrar: Mr. Hans Holthuis

Decision of: 11 September 2003

PROSECUTOR

v.

RADOVAN KARADŽIĆ

UNDER SEAL and EX-PARTE

**SEARCH WARRANT
FOR THE PUBLIC SECURITY CENTRE (CJB) SRPSKO
SARAJEVO**

The Office of the Prosecutor:

Mr. Mark Harmon

**IN RE APPLICATION FOR ORDER ISSUING A WARRANT AUTHORISING THE
SEARCH AND SEIZURE OF POTENTIAL EVIDENCE**

I, Judge Richard May, a 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 (hereinafter the "Tribunal"),

BEING SEISED of the Prosecutor's Application dated 11 September 2003 for an Order, under seal, authorising a Warrant to search the Public Security Centre (CJB) Srpsko Sarajevo, located in Pale, Republika Srpska, in the territory of Bosnia and Herzegovina, and the seizure of potential evidence ("Application"),

PURSUANT to Articles 15 and 18 of the Statute of the Tribunal, and Rules 39(i) and (iv), 53(C), and 54 of the Tribunal Rules of Procedure and Evidence, and the Declaration accompanying the Application,

NOTING my order dated 11 September 2003 granting the Application,

AUTHORISE representatives of the Office of the Prosecutor (OTP) and any persons acting in co-operation with OTP personnel or on their behalf, to conduct a search of the Public Security Centre (CJB) Srpsko Sarajevo, located in Pale, Republika Srpska, in the territory of Bosnia and Herzegovina, and to seize any:

Documentary and other evidence relating to the activities, operations and command and control from 1992 onwards of (1) the Ministry of the Internal Affairs (MUP) and its subordinate organs, (2) the RS Presidency and (3) the Army of Republika Srpska (VRS).

ORDER that this Warrant be executed according to the following terms and conditions:

- a) that the Warrant be executed between 15 September 2003 and 15 October 2003,
- b) that the Warrant be served on those persons occupying the Public Security Centre (CJB) Srpsko Sarajevo between 0600 hours and 2100 hours on the day that the search is to take place,
- c) that upon arriving at the location to be searched, OTP personnel shall identify themselves. They shall announce that they are present to execute a Search Warrant. If, in the judgement of those staff, their entry into the location, or any part thereof, is not promptly being granted or is being hindered, or if it appears that others are being alerted as to the search and that the

integrity of potential evidence may be compromised, the staff of the OTP, or any persons acting in co-operation with staff of the OTP or on their behalf, shall have the power to force entry into the premises and collect evidence under the terms of this Warrant,

- d) that OTP personnel shall, within twenty-four (24) hours of completion of the seizure, provide to the occupants of any site searched a receipt for all the evidence seized therefrom,
- e) that during the search and seizure, the members of the OTP and any person working with it be authorised to take photographs and/or to film any part of the interior or exterior of the premises.

FURTHER ORDER that the competent authorities of the entity known as Republika Srpska, including the occupants of the location to be searched, permit staff of the OTP, and any persons working with it, free and unimpeded access to all parts of the premises including the grounds and basements upon which they are built for the purposes of the search and seizure of the evidence specified in this Warrant, and

REQUEST, accordingly, that members of the military or civilian police of Republika Srpska and the employees of the Public Security Centre (CJB) Srpsko Sarajevo lend their full co-operation and physical assistance to staff of the OTP in the execution of this Warrant.

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

Dated this 11th day of September 2003,

At The Hague

The Netherlands



Judge Richard May

Duty Judge

[Seal of the Tribunal]