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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie

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**THE ICTY PRESIDENT AND PROSECUTOR INSIST ON THE INTERNATIONAL
OBLIGATION OF THE FEDERAL REPUBLIC OF YUGOSLAVIA
TO PROMPTLY TRANSFER SLOBODAN MILOŠEVIĆ TO THE HAGUE**

Following the arrest of Slobodan Milošević in Belgrade, the Tribunal's President, Judge Claude Jorda, and the Prosecutor, Ms. Carla del Ponte, recall the absolute obligation binding on the Federal Republic of Yugoslavia (FRY) to transfer him in to the custody of the Tribunal. This must be done "with all due diligence", pursuant to the International Criminal Tribunal for the former Yugoslavia (ICTY) arrest warrant confirmed by a judge of the Tribunal and delivered to FRY authorities on 23 January 2001.

In this respect, the ICTY President and Prosecutor insist that Slobodan Milošević is no different from any other person indicted by the ICTY.

All indicted persons arrested by a UN member State must be promptly transferred to the Tribunal. This obligation, binding on all member States, arises from the Charter of the United Nations and Article 29 of the Statute of the Tribunal.

The ICTY President and Prosecutor stress the fact that this obligation prevails over any legal impediment that may be invoked by a State.

The Tribunal acknowledges the FRY, as a sovereign state and member of the United Nations, may want to investigate and lay charges against Slobodan Milošević for alleged crimes pursuant to national criminal law.

Nonetheless, the only issue in this case is when and how the FRY authorities will respect their international legal obligation and transfer Slobodan Milošević to the Tribunal. This is why the ICTY President and Prosecutor insist that a date be set for his transfer to The Hague and have mandated the Registrar to travel to Belgrade for the following three reasons:

- To recall to FRY authorities, the practical modalities related to their obligation to transfer Slobodan Milošević to The Hague promptly and with all due diligence;
- To ensure that the ICTY arrest warrant and indictment are served on Slobodan Milošević; and
- To obtain information regarding the investigation and pending charges, - pursuant to FRY national criminal law – against Slobodan Milošević, to allow the ICTY Prosecutor to determine and assess whether a request for deferral needs to be made to a Trial Chamber designated by the President.

Internet address: <http://www.un.org/icty>

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