



International Tribunal for the  
Prosecution of Persons Responsible  
for Serious Violations of International  
Humanitarian Law Committed in the  
Territory of Former Yugoslavia  
since 1991

Case No. IT-95-14/2-PT

Date: 19 December 1997

Original: French

**BEFORE A JUDGE OF THE INTERNATIONAL TRIBUNAL**

**Before: Judge Fouad Riad**  
**Registrar: Ms. Dorothee de Sampayo Garrido-Nijgh**  
**Order of: 19 December 1997**

**PROSECUTOR**

**v.**

**Pero SKOPLJAK**

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**ORDER ON PROSECUTOR'S MOTION  
FOR LEAVE TO WITHDRAW THE INDICTMENT  
AGAINST PERO SKOPLJAK**

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**Office of the Prosecutor:**

**M. Mark Harmon**

I, Judge Fouad Riad, Judge of Trial Chamber I,

PURSUANT TO Rule 15 of the Rules of Procedure and Evidence;

CONSIDERING the indictment against Pero SKOPLJAK confirmed on 10 November 1995 (hereafter "Indictment");

CONSIDERING the Motion for leave to withdraw the indictment against Pero SKOPLJAK submitted by the Prosecutor on 18 December 1997 pursuant to Rule 51 (hereafter "Motion");

CONSIDERING the response of the Defence dated 19 December 1997;

CONSIDERING the hearing held on 19 December 1997;

CONSIDERING that the emergency of the situation justifies that the order be issued by single judge of Trial Chamber;

CONSIDERING that the Motion of the Prosecutor addresses the fundamental rights of the accused and, in particular, the issue of individual freedom;

CONSIDERING that, in accordance with the Statute and the Rules of Procedure and Evidence, the Prosecutor has the right to conduct her investigations;

CONSIDERING that the Prosecutor believes that there is not sufficient evidence to ensure a fair trial;

CONSIDERING that the Defence has consented to the Motion of the Prosecutor in its Response;

FOR THE FOREGOING REASONS,

ORDERS that the Indictment against Pero SKOPLJAK be withdrawn in accordance with Rule 51 of the Rules of Procedure and Evidence;

THEREFORE DIRECTS that Pero SKOPLJAK be immediately released.

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

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Fouad Riad  
Judge of Trial Chamber I

Dated this nineteenth day of December 1997  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**