



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-01-46-PT

Date: 05 July 2002

Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Liu Daqun, Presiding  
Judge Amin El Mahdi  
Judge Alphons Orie

**Registrar:** Mr. Hans Holthuis

**Order of:** 5 July 2002

**THE PROSECUTOR**

v.

**RAHIM ADEMI**

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**ORDER ON REQUEST FOR VARIATION OF CONDITIONS FOR PROVISIONAL  
RELEASE**

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**The Office of the Prosecutor:**  
Mr. Mark Ierace

**Defence Counsel:**  
Mr. Ćedo Prodanović

**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 (the “Tribunal”),

**BEING SEISED** of the “Request for limited Amendment to the Conditions set out for the Provisional Release of the Accused Rahim Ademi [the “Accused”]”, (the “Request”), filed on 24 April 2002, by which the Defence sought:

- 1) that the Accused be authorised to visit a doctor in Zagreb;
- 2) that the Accused be authorised to occasionally spend some time in a location near Split;

**NOTING** that the Prosecution did not respond to the Request,

**NOTING** the “Order on Motion for Provisional Release,” filed on 20 February 2002;

**NOTING** that, on 24 June 2002, the Defence filed a letter providing, in particular, a document stating that the Accused should be referred to a medical centre in Zagreb for “control check-up”;

**CONSIDERING** that the information submitted by the Defence, regarding in particular the health condition of the accused, can justify that the conditions imposed upon the accused be modified to the extent compatible with: a) ensuring that he is not prevented from receiving adequate treatment; and b) ensuring that he will reappear for trial and not be a threat to the victims or witnesses;

**BEARING IN MIND** that the Government of the Republic of Croatia offered a number of guarantees for securing the provisional release of the accused and stated, in particular, that it would fulfil all eventual requests of the respective Trial Chamber in this matter;

**NOTING** that the most recent “Report of the Office of the Government of Croatia for Co-operation with the ICTY and ICJ regarding the obligation of the General Rahim Ademi to report weekly to the competent police authorities [...],” filed on 14 June 2002, shows that the Accused has satisfied this obligation in the month of May 2002;

**CONSIDERING** therefore that there is no reason at this moment to deny the Request, subject to the conditions below;

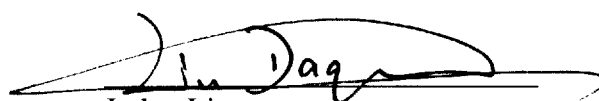
**PURSUANT** to Rules 54 and 65 of the Rules of Procedure and Evidence of the Tribunal,

**HEREBY**

**GRANTS** the Request as follows:

- 1) The Accused is authorised to visit the relevant medical centre(s) and doctor(s) in Zagreb as deemed appropriate by the competent medical authorities, subject to: being absent from his usual place of residence as little time as practically feasible in order to receive proper treatment; prior to going to Zagreb, reporting to the police station on each occasion, the date of his departure to Zagreb and the date of his return; reporting the address of the place he will be staying in Zagreb, should he be required to stay more than one day, to the Ministry of Interior and the Registrar of the Tribunal;
- 2) The Accused is authorised to visit, and stay at, the place mentioned in the Request, occasionally, subject to: reporting the address of the family house in the city of Rogoznica, at which he will be staying to the Ministry of Interior and the Registrar of the Tribunal; prior to going to this address, reporting to the police station on each occasion, the date of his departure to the address and the date of his return; continuing to report on a weekly basis (*i.e.* every seven days, for example every Monday) at the police station where he usually reports; complying with any additional measure the Government of the Republic of Croatia would deem fit to impose in order to meet its obligations in relation with the provisional release of the Accused;

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



Judge Liu,  
President of Trial Chamber I

Dated this fifth day of July 2002  
At The Hague,  
The Netherlands

[ Seal of the Tribunal ]