



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-00-41-PT

Date: 2 December 2002

Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. Hans Holthuis

Decision of: 2 December 2002

THE PROSECUTOR

v.

PAŠKO LJUBIČIĆ

DECISION ON DEFENCE REQUEST FOR PERMISSION TO ATTEND FUNERAL

The Office of the Prosecutor:
Mr. Mark Harmon

Counsel for Paško Ljubičić:
Mr. Tomislav Jonjić

TRIAL CHAMBER I (“the Chamber”) 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”);

NOTING the “Defence Request for Permission to Attend Funeral”, filed on 2 December 2002 (“the Motion”) by the Accused Pasko Ljubičić (“the Accused”), whereby it informs the Trial Chamber of the death of his brother, Jozo Ljubičić, and requests permission to attend the funeral which will take place on 2 December 2002 at 14:30PM in Zagreb;

CONSIDERING that, in the Motion, the Accused submits that he is willing to accept the imposition of whatever conditions the Trial Chamber may find reasonable and appropriate to guarantee his return to the UNDU; that the Motion is accompanied by two annexes: Annex I, which consists of a Police Verification dated 30 November 2002 relative to the occurrence of a traffic accident that lead to the death of Jozo Ljubičić; and Annex II, which consists of a Letter of the Deputy Prime Minister of the Republic of Croatia, dated 28 March 2002, whereby the Government of Croatia provides guarantees regarding the provisional release of the Accused;

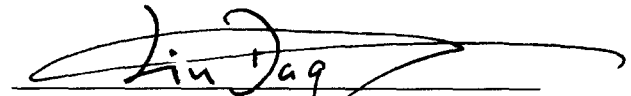
CONSIDERING that the Trial Chamber truly understands and sincerely regrets the personal circumstances that motivate the Motion;

CONSIDERING that, however, it finds itself in the material impossibility of considering the matter further, due to late filing of this Motion and the short notice given to the Trial Chamber; that it thus considers that this Motion is moot;

PURSUANT to Rule 54 of the Rules of Procedure and Evidence,

HEREBY DISMISSES the Motion.

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



Judge Liu Daqun
Presiding Judge

Dated this 2nd day of December 2002
At The Hague,
The Netherlands.

[Seal of the Tribunal]