



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-04-81-PT

Date: 1 July 2005

Original: English

IN THE TRIAL CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge O-Gon Kwon
Judge Iain Bonomy

Registrar: Mr. Hans Holthuis

Order of: 1 July 2005

PROSECUTOR

v.

MOMČILO PERIŠIĆ

**ORDER ON MOMČILO PERIŠIĆ'S
MOTION TO MODIFY CONDITIONS OF PROVISIONAL RELEASE**

The Office of the Prosecutor

**Mr. Chester Stamp
Mr. Karim Agha
Mr. Frederic Ossogo**

Counsel for Momčilo Perišić

Mr. James Castle

THIS TRIAL 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”),

BEING SEISED of the Request for Alteration of Conditions of Provisional Release filed on 16 June 2005 (“Motion”) by Momčilo Perišić (“Accused”), seeking a modification of the Trial Chamber’s “Decision on Momčilo Perišić’s Motion for Provisional Release” issued on 9 June 2005 (the “Decision”),

NOTING that in his Motion the Accused seeks permission to modify the conditions of release provided in the Decision so that he may travel to his “hometown” Kostunica, “where many members of his family reside and where he can visit the graves of his family members”, between 20 June 2005 and 5 July 2005 and “every month” until his trial at the Tribunal begins,

NOTING that the Office of the Prosecutor has informed the Trial Chamber that it will not file a response to the Motion,


NOTING that the only reason advanced for the Motion is the conclusory statement that this “request is reasonable and in the spirit of Mr. Perišić’s provisional release”,

CONSIDERING that this does not constitute an adequate basis for the Trial Chamber to grant the Motion,

PURSUANT to Rule 65 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY DENIES THE MOTION, without prejudice to the Accused making a future request for modification of the conditions of his provisional release.

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



Judge Patrick Robinson
Presiding

Dated this 1st day of July 2005
At The Hague
The Netherlands
Case No. IT-04-81-PT

1 July 2005