

UNITED
NATIONS

IT-04-81-PT 10903
D10903 - D10901
10 DECEMBER 2007 B)



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: 10 December 2007
Original: English

IN THE TRIAL CHAMBER

Before: Judge Patrick Robinson, Pre-Trial Judge
Registrar: Mr. Hans Holthuis
Order of: 10 December 2007

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC FILING

**DECISION ON COUNSEL'S REQUEST TO PARTICIPATE IN STATUS
CONFERENCE VIA TELE-CONFERENCE**

The Office of the Prosecutor:

Mr. Mark Harmon

Counsel for Momčilo Perišić:

Mr. James Castle

I, Patrick Robinson, Judge 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 (“International Tribunal”),

BEING SEIZED of “Counsel's Request to Appear by Teleconference for 15 January 2008 Status Conference”, filed by counsel for Momčilo Perišić (“Counsel”) on 4 December 2007 (“Request”), wherein Counsel requests to participate in the Status Conference scheduled on 15 January 2008 via tele-conference,

CONSIDERING that Counsel, in its Request, has stated that “there appear to be few issues which will need resolution at the 15 January 2008 status conference and certainly none which require a personal presence of lead counsel,”¹

CONSIDERING that the Office of the Prosecutor (“Prosecution”) has informed the Trial Chamber that it does not oppose Counsel’s Request, nor does the Prosecution intend to file any formal response,

CONSIDERING “Momčilo Perišić 's Waiver of Counsel’s Appearance for 15 January 2008 Status Conference”, filed on 7 December 2007 (“Waiver”), whereby the Accused Momčilo Perišić permits Counsel to represent him in the upcoming status conference via tele-conference,

CONSIDERING that Rule 65 bis (C) (i) provides for the possibility of Counsel to participate in a Status Conference via tele-conference,

CONSIDERING that, at present, there is no need for Counsel to be physically present at the upcoming Status Conference scheduled on 15 January 2008,

PURSUANT TO Rules 54 and 65 *bis* of the Rules of Procedure and Evidence of the International Tribunal,

¹ Request, para. 4.

HEREBY GRANT the Request and **ALLOW** Counsel to participate in the Status Conference scheduled on 15 January 2008 via tele-conference.

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



Patrick Robinson
Pre-Trial Judge

Dated this tenth day of December 2007
At The Hague
The Netherlands

[Seal of the Tribunal]