UNITED
NATIONS

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-04-81-T

Date: 22 July 2009

Original: English

IN TRIAL CHAMBER I

Before: **Judge Bakone Justice Moloto, Presiding**
                 Judge Pedro David
                 Judge Michèle Picard

Registrar: **Mr. John Hocking**

Decision of: **22 July 2009**

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

DECISION ON WITHDRAWAL OF REQUEST FOR
CERTIFICATION OF APPEAL FROM THE 30 JUNE
2009 ORAL DECISION OF THE TRIAL CHAMBER
REFUSING TO COMPEL ANSWERS, UNDER RULE 90
(E), FROM WITNESS MUHAMED SACIRBEY

The Office of the Prosecutor

Mr. Mark Harmon
Mr. Daniel Saxon

Counsel for the Accused

Mr. Novak Lukić
Mr. Gregor Guy-Smith

Case No. IT-04-81-T   22 July 2009

TRIAL CHAMBER I ("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 ("Tribunal"),
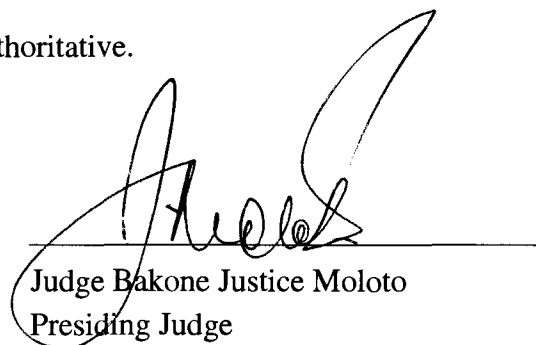
NOTING that on 6 July 2009, the Defence filed publicly a "Request for Certification of Appeal From the 30 June 2009 Oral Decision of the Trial Chamber Refusing to Compel Answers, Under Rule 90(E), From Witness Muhamed Sacirbey",

NOTING, however, that on 20 July 2009 the Defence filed publicly a "Withdrawal of Request for Certification of Appeal From the 30 June 2009 Oral Decision of the Trial Chamber Refusing to Compel Answers, Under Rule 90(E), From Witness Muhamed Sacirbey", whereby the Defence requests that its Request for Certification be withdrawn ("Request");

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence;

HEREBY GRANTS the Request.

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

Judge Bakone Justice Moloto
Presiding Judge

Dated this twenty-second day of July 2009
At The Hague
The Netherlands

[Seal of the Tribunal]

Case No. IT-04-81-T   2   22 July 2009