



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-04-74-AR65.5
Date: 15 July 2010
Original: English

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Liu Daqun
Judge Andrésia Vaz
Judge Theodor Meron
Judge Carmel Agius

Registrar: Mr. John Hocking

Decision of: 15 July 2010

PROSECUTOR

v.

**JADRANKO PRLIĆ
BRUNO STOJIĆ
SLOBODAN PRALJAK
MILIVOJ PETKOVIĆ
VALENTIN ĆORIĆ
BERISLAV PUŠIĆ**

PUBLIC

**DECISION ON THE WITHDRAWAL OF PROSECUTION'S 24
JUNE 2010 URGENT REQUEST FOR THE WAIVER OF
CONFIDENTIALITY OF PROVISIONAL RELEASE MOTIONS**

The Office of the Prosecutor:

Mr. Kenneth Scott and Mr. Douglas Stringer
Mr. Mark B. Harmon and Mr. Daniel Saxon

Counsel for the Accused:

Mr. Michael G. Karnavas and Ms. Suzana Tomanović for Jadranko Prlić
Ms. Senka Nožica and Mr. Karim Khan for Bruno Stojić
Mr. Božidar Kovačić and Ms. Nika Pinter for Slobodan Praljak
Ms. Vesna Alaburić and Mr. Nicholas Stewart for Milivoj Petković
Ms. Dijana Tomašegović-Tomić and Mr. Dražen Plavec for Valentin Ćorić
Mr. Fahrudin Ibrišimović and Mr. Roger Sahota for Berislav Pušić

544

THE APPEALS 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 (“Appeals Chamber” and “Tribunal”, respectively),

NOTING the “Decision on Prosecution’s Consolidated Appeal Against Decisions to Provisionally Release the Accused Prlić, Stojić, Praljak, Petković and Ćorić”, rendered publicly by the Appeals Chamber on 11 March 2008 (“Decision of 11 March 2008”);

NOTING the “Urgent Request for Waiver of Confidentiality of Provisional Release Motions”, filed confidentially by the Office of the Prosecutor (“Prosecution”) on 24 June 2010 (“Request”), in which the Prosecution sought to refer to the medical data considered by the Appeals Chamber in its Decision of 11 March 2008 in order to make further submissions with respect to a motion for provisional release filed by Momčilo Perišić (“Perišić”)¹ before the Trial Chamber in the case of *Prosecutor v. Momčilo Perišić* (“Perišić case”);²

NOTING the “Decision on Mr. Perišić’s Motion for Provisional Release During the Summer Recess”, issued confidentially by the Trial Chamber in the *Perišić* case on 12 July 2010;

NOTING the “Withdrawal of Prosecution’s 24 June 2010 Urgent Request for the Waiver of Confidentiality of Provisional Release Motions”, filed confidentially by the Prosecution on 14 July 2010 informing the Appeal Chambers of the withdrawal of the Request as it is moot;

FOR THE FOREGOING REASONS,

DECLARES that the Request has been withdrawn.

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

Done this 15th day of July 2010,
At The Hague,
The Netherlands.



Judge Fausto Pocar
Presiding

[Seal of the Tribunal]

¹ Request, para. 2, referring to *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-T, Mr. Perišić’s Motion for Provisional Release During the Summer Recess, 10 June 2010 (confidential). See also *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-T, Prosecution Response to Mr. Perišić’s Motion for Provisional Release During the Summer Recess, 24 June 2010 (confidential), para. 10, fn. 17, referring to Decision of 11 March 2008, para. 21.

² *Prosecutor v. Momčilo Perišić*, Case No. IT-04-81-T.