



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-AR65.36
Date: 10 September 2012
Original: English

IN THE APPEALS CHAMBER

Before: Judge Andréia Vaz, Presiding
Judge Patrick Robinson
Judge Mehmet Güney
Judge Fausto Pocar
Judge Arlette Ramaroson

Registrar: Mr. John Hocking

Decision of: 10 September 2012

PROSECUTOR

v.

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

PUBLIC

**DECISION ON NOTICE OF WITHDRAWAL OF
“PROSECUTION’S URGENT APPEAL AGAINST THE
‘ORDONNANCE PORTANT MODIFICATION DES
MODALITÉS DE LA MISE EN LIBERTÉ PROVISOIRE DE
L’ACCUSÉ SLOBODAN PRALJAK’”**

The Office of the Prosecutor:

Mr. Douglas Stringer

Counsel for the Accused:

Mr. Michael G. Karnavas and Ms. Suzana Tomanović for Mr. Jadranko Prlić

Ms. Senka Nožica and Mr. Karim A. A. Khan for Mr. Bruno Stojić

Ms. Nika Pinter and Ms. Nataša Fauveau-Ivanović for Mr. Slobodan Praljak

Ms. Vesna Alaburić and Mr. Zoran Ivanišević for Mr. Milivoj Petković

Ms. Dijana Tomašegović-Tomić and Mr. Dražen Plavec for Mr. Valentin Ćorić

Mr. Fahrudin Ibrišimović and Mr. Roger Sahota for Mr. Berislav Pušić

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 “Order to Vary Terms of Provisional Release for Accused Slobodan Praljak”, issued confidentially and *ex parte* by Trial Chamber III of the Tribunal (“Trial Chamber”) on 23 August 2012 (“Order of 23 August 2012”);¹

BEING SEISED OF the “Prosecution’s Urgent Appeal Against the ‘*Ordonnance portant modification des modalités de la mise en liberté provisoire de l’accusé Slobodan Praljak*’”, filed confidentially and *ex parte* on 28 August 2012 (“Appeal”),² in which the Office of the Prosecutor (“Prosecution”) requests the Appeals Chamber to quash the Order of 23 August 2012 and order Slobodan Praljak (“Praljak”) to immediately return to the United Nations Detention Unit (“UNDU”);³

NOTING however that, on 4 September 2012, the Trial Chamber issued confidentially and *ex parte* the “*Décision portant sur la requête de Slobodan Praljak relative à sa mise en liberté provisoire*”, in which it ordered that Praljak return to the UNDU by 6 September 2012;⁴

NOTING the “Notice of Withdrawal of ‘Prosecution’s Urgent Appeal Against the ‘*Ordonnance portant modification des modalités de la mise en liberté provisoire de l’accusé Slobodan Praljak*’”, filed by the Prosecution on 7 September 2012 (“Notice of Withdrawal”) informing the Appeals Chamber of the withdrawal of its Appeal “[i]n light of Praljak’s return to the UNDU”;⁵

FOR THE FOREGOING REASONS,

DECLARES that the Appeal has been withdrawn.

¹ *Prosecutor v. Jadranko Prlić et al.*, Case No. IT-04-74-T, Order to Vary Terms of Provisional Release for Accused Slobodan Praljak, 23 August 2012 (confidential and *ex parte*, with confidential and *ex parte* annex; public redacted version filed on 27 August 2012) (the English translations of the French originals were filed on 29 August 2012 (confidential and *ex parte* version) and 3 September 2012 (public redacted version)).

² A public redacted version was filed on 29 August 2012.

³ Appeal, paras 1, 11.

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

Dated this tenth day of September 2012,
At The Hague,
The Netherlands.



Judge Andréia Vaz
Presiding

[Seal of the Tribunal]

⁴ *Prosecutor v. Jadranko Prlić et al.*, Case No. IT-04-74-T, *Décision portant sur la requête de Slobodan Praljak relative à sa mise en liberté provisoire*, 4 September 2012 (confidential and *ex parte* with confidential and *ex parte* annex; public redacted version filed on 5 September 2012), p. 6, Annex.

⁵ Notice of Withdrawal, para. 3.