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International  
Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

**Press Release . Communiqué de presse**  
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**CHAMBERS**

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The Hague, 27 June 2002  
JL/ P.I.S./ 683e

**DRAGOLJUB OJDANIĆ AND NIKOLA ŠAINOVIĆ**  
**GRANTED PROVISIONAL RELEASE**  
**PENDING APPEAL BY THE PROSECUTION**

On Wednesday 26 June 2002, Trial Chamber III of the International Criminal Tribunal for the Former Yugoslavia (ICTY), comprised of Judges Richard May (Presiding), Patrick Robinson and O-Gon Kwon, issued a written Decision granting the applications for the provisional release of Dragoljub Ojdanić and Nikola Šainović, but staying the Decision, pending an appeal by the Prosecution.

The Trial Chamber ruling follows two motions requesting provisional release filed by Dragoljub Ojdanić and Nikola Šainović on 5 and 10 June 2002 respectively and a Prosecution response filed on 19 June 2002 opposing the applications. This was followed by a corrigendum filed by the Prosecution on 21 June 2002, in which, in the event that the Trial Chamber granted provisional release to either or both accused, the Prosecution sought a stay of the Decision in order to appeal.

A hearing on the applications for provisional release took place on 24 June 2002 during which oral arguments were advanced by counsel for the accused and the Prosecution. Representatives of the Federal Government of the Federal Republic of Yugoslavia ("FRY") were also present and were heard by the Chamber.

The Trial Chamber granted both the applications for provisional release and the Prosecution's application for a stay and ordered "*the provisional release of Dragoljub Ojdanić and Nikola Šainović subject to the terms and conditions as set out in the Orders for Provisional Release appended to this Decision*". Furthermore, the Trial Chamber ordered that, "*the provisional release of these two accused is stayed pending an appeal by the Prosecution pursuant to Rule 65 (D), (E), (F) and (G) of the Rules of Procedure and Evidence*".

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*The full text of this Decision is available upon request from the ICTY Press Office and will also be released on the ICTY Internet site in due course.*

Internet address: <http://www.un.org/icty>

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