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International
Criminal Tribunal
for the former
Yugoslavia

Tribunal Pénal
International pour
l'ex-Yougoslavie



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CHAMBERS

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The Hague, 9 June 2005
CT/MOW/975c

**DECISION RENDERED ON MOMČILO PERIŠIĆ'S
MOTION FOR PROVISIONAL RELEASE**

Today, 9 June 2005, Trial Chamber III granted Momčilo Perišić's motion for provisional release subject to certain specific terms and conditions. The Decision, however, is stayed providing the Prosecution 24 hours to file an appeal, pursuant to Rule 65 (D) (E) (F) and (G) of the Rules of Procedure and Evidence of the Tribunal.

Momčilo Perišić filed a motion requesting provisional release until the commencement of the trial phase of the proceedings on 11 May 2005. The Prosecution filed its response on 25 May 2005 opposing the motion and requesting that the provisional release be denied "*on the basis that (a) the gravity of the charges against the Accused and his senior position are likely to result in a significant sentence following conviction, (b) the authorities of the Republic of Serbia and the Republic of Serbia and Montenegro providing guarantees for the Accused have yet to arrest and transfer 'an accused' to the Tribunal, and (c) while acknowledging that the time before trial may be unavoidably long, the Prosecution seeks that the pre-trial trial process be expedited and that the case be scheduled for trial on an expedited basis...*"

In coming to its Decision, the Trial Chamber considered many factors including the fact that "*the Accused has satisfied the Chamber that, if released, he will return for trial and will not pose a danger to anyone.*"

In addition, the Trial Chamber took into consideration that "*the Trial Chamber recently granted provisional release to other accused of similar status on the strength attributed to the guarantees of Serbia and Montenegro and the Republic of Serbia,*" and that "*the Accused has co-operated with the Prosecution by participating in an interview with the Prosecution and providing lengthy statements that are contained on 35 compact discs.*"

***Hard copies can be obtained from the Media Office.
Proceedings can be followed on the Tribunal's website.***

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

Media Office/Communications Service

Churchillplein 1, 2517 JW The Hague. P.O. Box 13888, 2501 EW The Hague. Netherlands
Tel.: +31-70-512-5343; 512-5356 Fax: +31-70-512-5355