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Tribunal Pénal
International pour
l'ex-Yougoslavie

Press Release . Communiqué de presse

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APPEALS CHAMBER

CHAMBRE D'APPEL

The Hague, 11 August 2004

CC/ P.I.S./883e

PRLIĆ, STOJIĆ, PRALJAK, PETKOVIĆ, ĆORIĆ AND PUŠIĆ: PROVISIONAL RELEASE STAYED

On Tuesday 10 August, a Bench of three Appeals Chamber's Judges stayed the Orders previously issued by Trial Chamber I on the provisional release of Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić.

Signed by Judge Güney (also on behalf of Judge Meron and Judge Pocar, who are away from the Tribunal but who have been consulted and who have agreed with the decision), the Bench's Order follows on an application by the Prosecution, on 5 August, to be granted leave to appeal against the Trial Chamber's Orders on the provisional release of the six accused.

The Bench considered that *"the objective of the Prosecution's appeal (...) could be significantly impaired if the action against which the Prosecution seeks to appeal will have already been taken."*

It accordingly granted the stay sought by the Prosecution until its decision on the merits of the Prosecution's application.

BACKGROUND

On 30 July 2004, Trial Chamber I, consisting of Judge Liu Daqun (presiding), Judge Amin El Mahdi and Judge Alphons Orie, ordered the provisional release of the six Accused under certain specific terms and conditions (see *Press Release 880*).

Meanwhile, on Tuesday 3 August, the Prosecutor, announcing her intention to appeal against the provisional release of the six accused, filed before the Duty Judge a Motion "to stay" the Trial Chamber's Orders.

The Duty Judge, Judge Weinberg de Roca, considered that *"in the circumstances, it is not appropriate for the Duty Judge, acting as a single Judge, to decide this issue and it is more appropriate for the Trial Chamber to do so"* (see *Press Release 881*) and ordered that the accused remain in custody until the decision by Trial Chamber I.

On Monday 9 August, Trial Chamber I rejected the Prosecution's Motion for a Stay. However, the Prosecution had meanwhile filed her application for leave to appeal, which led to the Appeals Bench's Order of 10 August (see above).

The full text of the Orders by Trial Chamber I (9 August) and the Appeals Bench (10 August) will be available on the ICTY web site: www.un.org/icty as soon as possible.

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

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