



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-04-81-PT

Date: 10 August 2006

Original: ENGLISH

IN TRIAL CHAMBER III

Before: Judge Patrick Robinson, Presiding
Judge Krister Thelin
Judge Frank Höpfel

Registrar: Mr. Hans Holthuis

Order of: 10 August 2006

PROSECUTOR

v.

MOMČILO PERIŠIĆ

ORDER ON CLARIFICATION OF MATTER OF IDENTIFICATION

The Office of the Prosecutor

Ms. Susan Somers

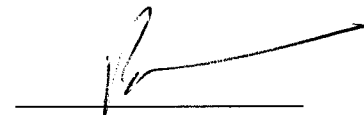
Counsel for Momcilo Perišić

Mr. James Castle

THIS TRIAL 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 (the “Tribunal”) is currently seised of a request by Momčilo Perišić (“Accused”) for modification of a condition of his provisional release (“Request”)¹;

1. The Request is the fourth such request made by the Accused. The three previous requests have been granted.²
2. In its response to the 24 April 2006 request by the Accused for the modification of a condition of his provisional release, the Prosecution noted that “the Defence did not provide with the request medical evidence of the alleged medical condition(s) of the Accused’s brother, Igor Perišić, referred to in paragraph 6 of the request which forms the basis of the request”.³
3. Consequently, the Accused has provided an Expert Assessment Proposal, attached to the Request in a confidential annex, as evidence of the medical condition(s) of his brother, Mr Igor Perišić.⁴ However, as the Prosecution notes in its response to the Request,⁵ the translation of the Expert Assessment Proposal does not on its face seem to refer to the Accused’s brother.
4. Before the Trial Chamber can grant the Request, it must be satisfied that the Expert Assessment Proposal and the information of the medical conditions contained therein does concern the Accused’s brother, Mr Igor Perišić.
5. For these reasons, the Trial Chamber **ORDERS** the Accused to demonstrate that the Expert Assessment Proposal relates to Mr Igor Perišić and clearly explain why the Expert Assessment Proposal does not refer to Mr Igor Perišić by name.

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



Judge Patrick Robinson
Presiding

Dated this tenth day of August 2006
At The Hague, The Netherlands

[Seal of the Tribunal]

¹ Request for Alteration of Conditions of Provisional Release, 19 July 2006.

² Decision Granting Momčilo Perišić’s Motion to Modify Conditions of Provisional Release, 19 October 2005; Decision Granting Momčilo Perišić’s Motion to Modify Conditions of Provisional Release, 20 January 2006; Decision Granting Momčilo Perišić’s Motion to Modify Conditions of Provisional Release, 11 May 2006.

³ Prosecution’s Response to Defence Request for Alteration of Conditions of Provisional Release, 5 May 2006.

⁴ See, Request, para. 6.

⁵ Confidential Prosecution’s Response to Defence’s Request for Alteration of Conditions of Provisional Release, 27 July 2005 (“Response”), paras. 1-2.