



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-04-81-PT
Date: 14 March 2007
Original: English

IN THE TRIAL CHAMBER

Before: Judge Patrick Robinson, Pre-Trial Judge

Registrar: Mr. Hans Holthuis

Order of: 14 March 2007

PROSECUTOR

v.

MOMČILO PERIŠIĆ

**DECISION ON COUNSEL'S REQUEST TO PARTICIPATE IN 65 TER
CONFERENCE VIA TELE-CONFERENCE**

The Office of the Prosecutor:

Mr. Mark Harmon
Ms. Susan Somers

Counsel for Momčilo Perišić:

Mr. James Castle

I, Patrick Robinson, Judge 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 (“International Tribunal”),

BEING SEIZED of “Counsel's request to appear by teleconference for 19 March Rule 65 *ter* conference”, filed by counsel for Momčilo Perišić (“Counsel”) on 2 March 2007 (“Request”), wherein Counsel requests to participate in the 65 *ter* Conference scheduled on 19 March 2007 via tele-conference,

CONSIDERING that Counsel, in its Request, has stated that the Office of the Prosecutor (“Prosecution”) joins him in his Request, and that ‘both parties believe there is no need for the parties to meet in person in order to discuss potential agreements concerning law or fact,’¹

CONSIDERING “Momčilo Perišić's waiver of appearance for 19 March 2007 Rule 65 *ter* conference”, filed on 16 February 2007 (“Waiver”), whereby the Accused Momčilo Perišić permits Counsel to represent him in the upcoming 65 *ter* conference via tele-conference,

CONSIDERING that Rule 65 bis (C) (i) provides for the possibility of Counsel to participate in a Status Conference via tele-conference,

CONSIDERING that the Trial Chamber is not opposed to the Senior Legal Officer of the Trial Chamber conducting a Rule 65 *ter* Conference via tele-conference,

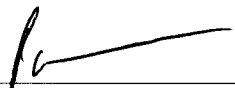
CONSIDERING that, at present, there is no need for Counsel to be physically present at the upcoming 65 *ter* Conference scheduled on 19 March 2007,

PURSUANT TO Rules 54 and 65 *bis* of the Rules of Procedure and Evidence of the International Tribunal,

¹ Request, para. 6.

HEREBY GRANT the Request and **ALLOW** Counsel to participate in the *65 ter* Conference scheduled on 19 March 2007 via tele-conference.

Done in both English and French, the English version being authoritative.



Patrick Robinson
Pre-Trial Judge

Dated this fourteenth day of March 2007
At The Hague
The Netherlands

[Seal of the Tribunal]