



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-04-74-PT  
Date: 3 August 2005  
Original: English

**IN TRIAL CHAMBER I**

**Before:** Judge Liu Daqun, Presiding  
Judge Amin El Mahdi  
Judge Alphons Orié

**Registrar:** Mr. Hans Holthuis

**Decision:** 3 August 2005

**THE PROSECUTOR**

v.

**JADRANKO PRLIĆ  
BRUNO STOJIĆ  
SLOBODAN PRALJAK  
MILIVOJ PETKOVIĆ  
VALENTIN ĆORIĆ  
BERISLAV PUŠIĆ**

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**DECISION ON SLOBODAN PRALJAK'S URGENT  
APPLICATION FOR VARIATION OF CONDITIONS OF  
PROVISIONAL RELEASE**

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**The Office of the Prosecutor:**

Mr. Kenneth Scott

**Counsel for the Accused:**

Mr. Bozidar Kovačić

**TRIAL CHAMBER I** (“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 (“Tribunal”);

**RECALLING** the “Order on Provisional Release of Slobodan Praljak” (“Order on Provisional Release”) dated 30 July 2004, by which the Chamber provisionally released Slobodan Praljak (“Accused”), subject to certain conditions, including the requirement “to remain within the confines of the municipality of his chosen residence in the Republic of Croatia”;

**NOTING** “Accused Slobodan Praljak’s Urgent Application for Permission to Attend National Holiday Ceremony on 5 August 2005” filed on 3 August 2005, whereby the Defence for the Accused Praljak (“Defence” and “Accused” respectively) seeks a variation of the conditions of the Order on Provisional Release in order to be allowed to travel in his own car and under escort to Knin, Croatia, and attend the 10<sup>th</sup> year anniversary ceremony of the liberation of Knin on 5 August 2005;

**NOTING** the “Supplement to Accused Slobodan Praljak’s Urgent Application for Permission to Attend National Holiday Ceremony on 5 August 2005” filed on 3 August 2005, in which the Defence submits a letter of the Government of Croatia guaranteeing an escort to the Accused during his day trip to Knin, if any;

**NOTING** that the Defence attaches an annex in support of the Application which shows that the Accused is invited to attend the “10<sup>th</sup> anniversary ceremony of the military police action “Oluja” commemorating the liberation of Knin by Croatian forces in 1995 during the “Storm Operation”;

**NOTING** that the most recent report of the Ministry of Justice of the Republic of Croatia and the local authorities in Zagreb shows that the Accused has complied so far with the conditions and obligations set out in the Order on Provisional Release;

**CONSIDERING** that the Application which is based on the Accused’s “moral obligation to attend the ceremony” and “pay respect to those who lost their lives in homeland war, and particularly those who served under his command in that war” because he “personally participated in military action of Croatian Army for liberation of Croatia’s territories that were occupied by Serb rebels and JNA forces from 1991 till 5 August 1995” is not characterised as a request on humanitarian grounds;

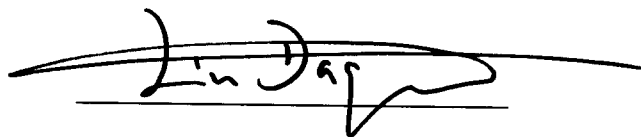
**CONSIDERING** that the Chamber sees no reasons which would justify the modification of the Order for Provisional Release sought by the Accused;

**PURSUANT** to Rules 54 and 65 of the Rules of Procedure and Evidence of the Tribunal;

**HEREBY DENIES** the Application.

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

Dated this 3<sup>rd</sup> day of August 2005  
At The Hague,  
The Netherlands

A handwritten signature in black ink, appearing to read 'Liu Daqun', written over a horizontal line.

Judge Liu Daqun  
Presiding Judge, Trial Chamber 1

[ Seal of the Tribunal ]