



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: 18 June 2008

Original: English

**IN TRIAL CHAMBER I**

**Before:** Judge Alphons Orie, Presiding Judge  
Judge Christine Van Den Wyngaert  
Judge Bakone Justice Moloto

**Registrar:** Mr. Hans Holthuis

**Order of:** 18 June 2008

**PROSECUTOR**

v.

**MOMČILO PERIŠIĆ**

***PUBLIC***

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**ORDER RECALLING MOMČILO PERIŠIĆ FROM  
PROVISIONAL RELEASE**

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**The Office of the Prosecutor**

Mr. Mark Harmon

**Republic of Serbia**

via the Embassy of the Republic of Serbia to The  
Netherlands, The Hague

**Counsel for the Accused**

Mr. James Castle  
Mr. Novak Lukić

**TRIAL CHAMBER I** (“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 (“Tribunal”);

**NOTING** the Decision on Momčilo Perišić’s Motion for Provisional Release, filed on 9 June 2005, whereby the Trial Chamber set out the conditions concerning the provisional release of Momčilo Perišić, and ordered that Momčilo Perišić “return to the International Tribunal at such time and on such date as the Trial Chamber may order” and “comply strictly with any further Order of the Trial Chamber varying the terms of or terminating his provisional release”;<sup>1</sup>

**CONSIDERING** that the Pre-Trial Conference in this case is scheduled to take place on 21 July 2008 and that the Opening Statement of the Prosecution is due to be given on 24 July 2008;<sup>2</sup>

**PURSUANT TO** Articles 29 of the Statute of the Tribunal and Rules 54 and 65 of the Rules of Procedure and Evidence;

**ORDERS:**

1. Momčilo Perišić to return to the United Nations Detention Unit in The Hague on 14 July 2008;

2. the Government of Serbia to designate an official who shall accompany Momčilo Perišić from his place of residence in Serbia and who shall deliver Momčilo Perišić into the custody of the Dutch authorities at Schiphol airport, on 14 July 2008;

3. the Government of Serbia to notify, as soon as practicable, the Trial Chamber and the Registrar of the Tribunal of the name of the designated official;

4. the Government of Serbia to ensure the personal safety of Momčilo Perišić until he is delivered into the custody of the Dutch authorities at Schiphol airport on 14 July 2008;

5. the Government of the Kingdom of the Netherlands to ensure that Momčilo Perišić is transported, under guard, from Schiphol Airport to the United Nations Detention Unit;

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<sup>1</sup> *Prosecutor v Momčilo Perišić*, Decision on Momčilo Perišić’s Motion for Provisional Release, 9 June 2005, p 5.

<sup>2</sup> *Prosecutor v Momčilo Perišić*, Order Scheduling Start of Trial, 8 May 2008.

**INSTRUCTS:**

1. the Registrar of the Tribunal to consult with the Ministry of Justice of the Netherlands as to the practical arrangements for Momčilo Perišić's return to the United Nations Detention Unit;

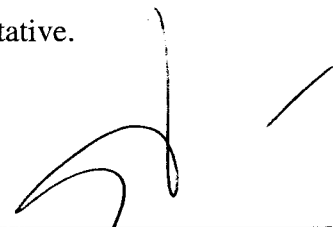
2. the Government of Serbia, the Government of the Kingdom of the Netherlands and the Registry of the Tribunal to communicate with each other in order to facilitate the orderly return of Momčilo Perišić to the United Nations Detention Unit;

**REQUESTS** the authorities of all States through whose territory Momčilo Perišić may travel;

1. to hold Momčilo Perišić in custody for any time that he will spend in transit; and

2. to arrest and detain Momčilo Perišić pending his return to the United Nations Detention Unit in the Hague, should he attempt to escape.

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



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Judge Alphons Orie  
Presiding Judge

Dated this eighteenth day of June 2008

At The Hague

The Netherlands

**[Seal of the Tribunal]**