

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-15-96-A

Date: 7 March 2022

Original: English

IN THE APPEALS CHAMBER

Before: Judge Carmel Agius, Pre-Appeal Judge

Registrar: Mr. Abubacarr Tambadou

Order of: 7 March 2022

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

ORDER SCHEDULING A STATUS CONFERENCE

The Office of the Prosecutor:

Mr. Serge Brammertz

Ms. Laurel Baig

Ms. Barbara Goy

Counsel for Mr. Jovica Stanišić:

Mr. Wayne Jordash

Mr. Joe Holmes

Counsel for Mr. Franko Simatović:

Mr. Mihajlo Bakrač

Mr. Vladimir Petrović

I, CARMEL AGIUS, Judge of the Appeals Chamber of the International Residual Mechanism for Criminal Tribunals (“Appeals Chamber” and “Mechanism”, respectively) and Pre-Appeal Judge in this case;¹

NOTING the judgement pronounced by the Trial Chamber of the Mechanism in the case of *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-T, on 30 June 2021 and filed in writing on 6 August 2021;²

NOTING the notices of appeal against the Trial Judgement filed by Mr. Jovica Stanišić (“Stanišić”), Mr. Franko Simatović (“Simatović”), and the Office of the Prosecutor of the Mechanism (“Prosecution”) on 6 September 2021, and that the briefing in relation to each respective appeal was completed on 15 February 2022;³

NOTING that Stanišić and Simatović are currently in custody at the United Nations Detention Unit in The Hague pending resolution of the appeal proceedings against the Trial Judgement;

CONSIDERING that, in accordance with Rule 69(B) of the Rules of Procedure and Evidence of the Mechanism (“Rules”), the Appeals Chamber shall convene a status conference within 120 days of the last status conference to allow any person in custody pending appeal the opportunity to raise issues in relation thereto, including the mental and physical condition of that person;

NOTING the status conference held on 16 December 2021;⁴

CONSIDERING that, in accordance with Rule 69(C) of the Rules, with written consent of the person in custody, given after receiving advice from his counsel, a status conference may be conducted: (i) in the presence of that person but with counsel participating either via teleconference

¹ Order Assigning Judges to a Case Before the Appeals Chamber, 10 September 2021, p. 1; Order Assigning a Pre-Appeal Judge, 15 September 2021, p. 1.

² *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-T, Judgement, 6 August 2021 (“Trial Judgement”).

³ For Stanišić’s appeal: see Stanišić Defence Notice of Appeal, 6 September 2021; Stanišić Defence Appeal Brief, 22 November 2021 (confidential with confidential Annexes A and B); Prosecution Response to Stanišić Defence Appeal Brief, 31 January 2022 (confidential); Simatović Defence Respondent’s Brief, 31 January 2022 (confidential); Stanišić Defence Reply to Prosecution Response to Stanišić Defence Appeal Brief, 15 February 2022 (confidential). For Simatović’s appeal: see Simatović Defence Notice of Appeal, 6 September 2021; Simatović Defence Appeal Brief, 22 November 2021 (confidential); Prosecution Response to Simatović Defence Appeal Brief, 31 January 2022 (confidential); Simatović Defence Reply to Prosecution Response to Simatović Defence Appeal Brief, 15 February 2022 (confidential). For the Prosecution’s appeal: see Prosecution Notice of Appeal, 6 September 2021; Prosecution Appeal Brief, 22 November 2021 (confidential); Stanišić Defence Response to Prosecution Appeal Brief, 31 January 2022 (confidential with confidential Annex A); Simatović Defence Respondent’s Brief, 31 January 2022 (confidential); Prosecution Reply to Stanišić Defence Response to Prosecution Appeal Brief, 15 February 2022 (confidential); Prosecution Reply to Simatović Defence Respondent’s Brief, 15 February 2022 (confidential).

⁴ T. 16 December 2021 pp. 1-7. See also Order Scheduling a Status Conference, 15 November 2021, p. 1; Order on Videoconference-Link Participation in Status Conference, 10 December 2021; Second Order on Videoconference-Link Participation in Status Conference, 14 December 2021.

or videoconference; or (ii) in the absence of the person in custody, but with his participation via teleconference if he so wishes and/or participation of his counsel via teleconference or videoconference;

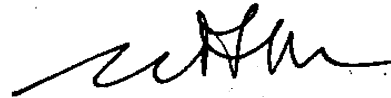
PURSUANT to Rules 69(B) and 69(C) of the Rules;

HEREBY ORDER that a status conference shall be held on Friday, 1 April 2022, at 10.30 a.m., in Courtroom 1 at the Hague Branch of the Mechanism; and

ORDER Stanišić and Simatović to provide written notice within seven days of the filing of this Order in the event that either would wish to proceed with the status conference in accordance with Rules 69(C)(i) or 69(C)(ii) of the Rules.

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

Done this 7th day of March 2022,
At The Hague,
The Netherlands



Judge Carmel Agius
Pre-Appeal Judge

[Seal of the Mechanism]



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