

**UNITED  
NATIONS**



International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-15-96-A

Date: 3 March 2023

Original: English

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**IN THE APPEALS CHAMBER**

**Before:** Judge Graciela Gatti Santana, Presiding

**Registrar:** Mr. Abubacarr M. Tambaou

**Order of:** 3 March 2023

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

*PUBLIC*

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**ORDER SCHEDULING A STATUS CONFERENCE**

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**The Office of the Prosecutor:**

Mr. Serge Brammertz  
Ms. Laurel Baig

**Counsel for Mr. Jovica Stanišić:**

Mr. Wayne Jordash  
Mr. Joe Holmes

**Counsel for Mr. Franko Simatović:**

Mr. Mihajlo Bakrač  
Mr. Vladimir Petrović

**I, GRACIELA GATTI SANTANA**, Judge of the Appeals Chamber of the International Residual Mechanism for Criminal Tribunals (“Appeals Chamber” and “Mechanism”, respectively) and Presiding Judge in this case;<sup>1</sup>

**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;<sup>2</sup>

**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 on 6 September 2021, and that the briefing in relation to each respective appeal was completed on 15 February 2022;<sup>3</sup>

**NOTING** that the Appeals Chamber heard oral submissions regarding these appeals on 24 and 25 January 2023;<sup>4</sup>

**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 or an Appeals Chamber Judge 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;

**RECALLING** that the last status conference was held on 19 January 2023;<sup>5</sup>

**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 or videoconference; or (ii) in the absence of the person in custody, but with his participation via

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<sup>1</sup> Order Replacing a Judge in a Case Before the Appeals Chamber, 5 July 2022, p. 1.

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

<sup>3</sup> See Order Scheduling a Status Conference, 7 March 2022, p. 1, n. 3 and references cited therein.

<sup>4</sup> T. 24 January 2023 pp. 1-117; T. 25 January 2023 pp. 1-83. See also Scheduling Order for the Hearing of the Appeals, 5 December 2022, pp. 1, 2; Order for the Preparation of the Hearing of the Appeals, 13 January 2023, p. 1.

<sup>5</sup> T. 19 January 2023 pp. 1-5. See also Order Scheduling a Status Conference, 22 November 2022, p. 2.

teleconference if he so wishes and/or participation of his counsel via teleconference or videoconference;

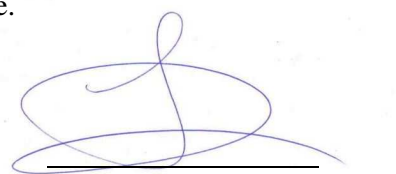
**PURSUANT** to Rules 69(B) and 69(C) of the Rules;

**HEREBY ORDER** that a status conference shall be held on Wednesday, 17 May 2023, at 2.30 p.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 3<sup>rd</sup> day of March 2023,  
At The Hague,  
The Netherlands



Judge Graciela Gatti Santana  
Presiding Judge

**[Seal of the Mechanism]**



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