

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-15-96-A

Date: 22 November 2022

Original: English

IN THE APPEALS CHAMBER

Before: Judge Graciela Gatti Santana, Pre-Appeal Judge

Registrar: Mr. Abubacarr M. Tambaou

Order of: 22 November 2022

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

ORDER SCHEDULING A STATUS CONFERENCE

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 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 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 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 22 September 2022⁴ and that I notified the parties that I intended to convene the next status conference on Thursday, 19 January 2023;⁵

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

¹ Order Replacing a Judge in a Case Before the Appeals Chamber, 5 July 2022, p. 1; Order Assigning a Pre-Appeal Judge, 12 July 2022, p. 1.

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

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

⁴ T. 22 September 2022 pp. 1-7. See also Order Scheduling a Status Conference, 9 August 2022, p. 2.

⁵ T. 22 September 2022 p. 3.

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

HEREBY ORDER that a status conference shall be held on Thursday, 19 January 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 22nd day of November 2022,
At The Hague,
The Netherlands

Judge Graciela Gatti Santana
Pre-Appeal Judge

[Seal of the Mechanism]



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