



International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-15-96-T

Date: 19 January 2021

Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Burton Hall, Presiding  
Judge Joseph E. Chiondo Masanche  
Judge Seon Ki Park

**Registrar:** Mr. Abubacarr Tambadou

**Order of:** 19 January 2021

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

***PUBLIC***

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**ORDER IN RELATION TO DOCUMENTS MARKED FOR  
IDENTIFICATION AND CLOSE OF PROCEEDINGS**

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**The Office of the Prosecutor:**

Mr. Serge Brammertz  
Mr. Douglas Stringer

**Counsel for the Defence:**

Mr. Wayne Jordash and Mr. Iain Edwards for Mr. Jovica Stanišić  
Mr. Mihajlo Bakrač and Mr. Vladimir Petrović for Mr. Franko Simatović

**THE TRIAL CHAMBER OF** the International Residual Mechanism for Criminal Tribunals (“Trial Chamber” and “Mechanism”), respectively;<sup>1</sup>

**RECALLING** that, on 14 January 2021, the Trial Chamber adjudicated Franko Simatović’s motion for admission of evidence from the bar table;<sup>2</sup>

**CONSIDERING** that this marks the close of the Defence case subject to the final determination, as discussed below, on the admissibility of documents that have been marked for identification;

**NOTING** that, on 14 January 2021, the Prosecution filed a motion for admission of rebuttal evidence, which is currently pending before the Trial Chamber;<sup>3</sup>

**CONSIDERING** that, in anticipation of the imminent completion of the evidentiary phase of the proceedings, it is necessary to set a deadline by which the parties shall file submissions on the admissibility of documents that have been marked for identification, pending the fulfilment of certain conditions;

**RECALLING FURTHER** that, on 8 October 2020, the Trial Chamber informed the parties that final trial briefs of 150,000 words each are due by Friday, 26 February 2021, and that closing arguments are anticipated to take place during the last week of March 2021;<sup>4</sup>

**NOTING** that Simatović requested a six-week extension and Jovica Stanišić requested a three-week extension for the filing of their final trial briefs, citing factors associated with the COVID-19 pandemic, other health-related issues impacting Defence team members, and the timing of the conclusion of the evidence presentation in this case, which have slowed down the preparation of their final trial briefs;<sup>5</sup>

**NOTING** that the Prosecution opposes Simatović’s request for extension of time and maintains that, following the filing of the final trial briefs, it will require four weeks to prepare for closing arguments;<sup>6</sup>

**CONSIDERING** that, in view of the impact that the COVID-19 pandemic has had on the preparation of the Defence, a limited two-week extension of time for the filing of the final trial briefs is warranted;

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<sup>1</sup> Order Replacing a Judge in a Case Before a Trial Chamber, 21 February 2017, p. 1.

<sup>2</sup> Decision on Simatović Defence Bar Table Motion, 14 January 2021.

<sup>3</sup> Prosecution Motion for Admission of Rebuttal Evidence, 14 January 2021 (confidential).

<sup>4</sup> Procedural Matters, T. 8 October 2020, p. 95.

<sup>5</sup> Internal Communications of 8 and 11 January 2021.

<sup>6</sup> Internal Communication of 11 January 2021.

**PURSUANT** to Rules 55 and 103 of the Rules of Procedure and Evidence,

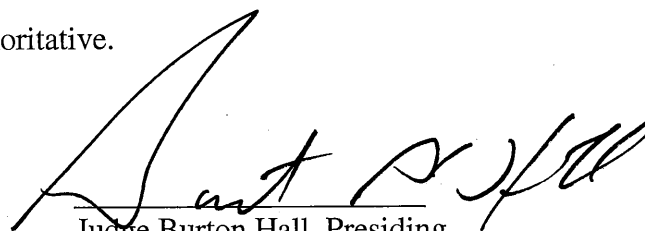
**HEREBY ORDERS** the parties to file any submissions on documents that have been marked for identification by Tuesday, 2 February 2021, and any responses thereto by Tuesday, 9 February 2021;

**DECIDES** that the parties shall file their respective final trial briefs by Friday, 12 March 2021, and that the closing arguments in this case shall be heard in the week of 12 April 2021; and

**DECIDES** that, following the filing of the final trial briefs, it will determine the exact dates of the closing arguments and the time to be allotted to the parties.

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

Done this 19th day of January 2021,  
At The Hague,  
The Netherlands



Judge Burton Hall, Presiding

**[Seal of the Mechanism]**



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