

**UNITED  
NATIONS**

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International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-15-96-A

Date: 6 September 2021

Original: English

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**IN THE TRIAL CHAMBER**

**Before: Appeals Chamber**

**Registrar: Mr. Abubacarr Tambadou**

**Date: 6 September 2021**

**PROSECUTOR**

**v.**

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

***PUBLIC***

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**STANIŠIĆ DEFENCE NOTICE OF APPEAL**

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**The Office of the Prosecutor:**  
Mr Serge Brammertz

**Counsel for Jovica Stanišić:**  
Mr Wayne Jordash QC  
Mr Joe Holmes

## INTRODUCTION

1. Mr. Stanišić hereby serves notice of appeal against the International Residual Mechanism for Criminal Tribunals (“Mechanism”) Trial Chamber’s Judgement of 30 June 2021 (“Judgement”), pursuant to Rule 133 of the Rules of Procedure and Evidence.

## PROCEDURAL BACKGROUND

2. The initial Indictment against Mr. Stanišić was filed before the International Criminal Tribunal for the former Yugoslavia (“ICTY”) on 1 May 2003.

3. Mr. Stanišić surrendered voluntarily into the custody of the ICTY on 11 June 2003.<sup>1</sup>

4. On 13 June 2003, as well as on a further initial appearance on 16 March 2006, Mr. Stanišić pleaded not guilty to all counts in the Indictment.

5. Mr. Stanišić was tried jointly with Mr. Simatović pursuant to the Prosecution’s Third Amended Indictment, dated 10 July 2008 (“Indictment”).

6. The trial commenced on 28 April 2008, but was adjourned and reverted to the pre-trial stage, recommencing on 9 June 2009. The evidentiary phase of the trial proceedings was completed on 5 December 2012 and the closing arguments of the parties were heard between 29 and 31 January 2013.

7. On 30 May 2013, the ICTY Trial Chamber delivered its judgement, acquitting, by majority, Mr. Stanišić on all counts of the Indictment and ordering his immediate release.

8. The Prosecution filed its notice of appeal and its appeal brief against the ICTY Trial Judgement on 28 June 2013 and 11 September 2013, respectively. The ICTY Appeals Chamber heard the oral arguments of the parties on 6 July 2015, and delivered its judgement on 9 December 2015, granting, in part, the Prosecution appeal, and quashing Mr. Stanišić’s acquittal. The Appeals Chamber ordered that Mr. Stanišić be retried on all counts of the Indictment.

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<sup>1</sup> *Prosecutor v. Jovica Stanišić*, Case No. IT-03-69-PT, Decision on Provisional Release, 28 July 2004, para. 20.

9. On 9 December 2015, the ICTY Appeals Chamber issued a Warrant of Arrest and Order for Surrender for Mr. Stanišić. Mr. Stanišić was arrested and transferred to the United Nations Detention Unit on 15 December 2015.

10. On 18 December 2015, Mr. Stanišić pleaded not guilty to all counts in the Indictment.

11. The trial commenced before the Mechanism on 13 June 2017. The evidentiary phase of the trial proceedings was completed on 23 February 2021, and the closing arguments of the parties were heard between 12 and 14 April 2021.

12. On 30 June 2021, the Trial Chamber of the Mechanism delivered its judgement, finding Mr. Stanišić guilty of Counts 1 to 5 of the Indictment for having aided and abetted the charged crimes committed in Bosanski Šamac. The Trial Chamber imposed a sentence of 12 years' imprisonment on Mr. Stanišić.

13. Mr. Stanišić is appealing the finding of guilt returned by the Trial Chamber in relation to the aiding and abetting of the crimes in Bosanski Šamac, as well as his sentence of 12 years on the basis of its manifestly unreasonable and excessive character.

## **GROUND OF APPEAL**

14. The Notice of Appeal raises eight grounds of appeal. For the avoidance of doubt, each of these grounds and sub-grounds, individually or collectively, either invalidates the Judgement or has resulted in a miscarriage of justice.

### **A. Grounds of Appeal against Conviction**

15. There are four grounds of appeal against conviction, alleging both errors of fact and of law. For the avoidance of doubt, where an error of fact is alleged it is alleged that the error of fact resulted in a miscarriage of justice. Where an error of law is alleged, it is alleged that the error invalidated the Judgement.

### **Ground One**

16. The Trial Chamber erred in law as to the *actus reus* of aiding and abetting. Each error of law, singularly or in combination, invalidates the guilty findings under Counts 1 to 5 of the Indictment for aiding and abetting the crimes of persecution, murder, deportation and inhumane acts (forcible transfer) committed in Bosanski Šamac.

(i) The Trial Chamber erred in law in determining that the organization of training of Unit members and local Serb forces at the Pajzoš camp, near Ilok, Croatia, and their deployment during the takeover was capable of amounting to practical assistance which had an effect, substantial or otherwise, on the perpetration of the crimes of persecution, murder, and forcible displacement by Unit members and local Serb forces<sup>2</sup>. In particular:

(a) The Trial Chamber erred in law in failing to identify and assess the nexus between the alleged contributory assistance in March/April 1992,<sup>3</sup> and the crimes, including the 7 May 1992 Crkvina massacre, involving the murder of 16 detainees.<sup>4</sup> In light of the fact that the Trial Chamber found that it was not proven that Mr. Stanišić exercised command or control over the perpetrators, or directed them during the commission of the crimes,<sup>5</sup> the Trial Chamber erred by failing to assess, or provide a reasoned opinion, as to how the practical assistance substantially affected the perpetration of the entirety of the crimes committed;<sup>6</sup> and

(b) The Trial Chamber erred in law by concluding that the re-subordination of the Unit members and local forces to the JNA was immaterial to the question of whether the practical assistance had a substantial effect on the perpetration of the crimes of persecution, murder, and forcible displacement.<sup>7</sup> The relationship of these perpetrators to the JNA, before, during and after the crimes was a critical circumstance for determining the nature and scope of the effect of any purported training and/or deployment on the perpetration of the crimes.<sup>8</sup>

17. Relief Sought: As a result of each of the Trial Chamber's errors, Mr. Stanišić respectfully requests the Appeals Chamber to: (i) hold that the Trial Chamber erred in law in

<sup>2</sup> Judgement, p. 259, para. 605.

<sup>3</sup> Judgement, pp. 173-174, paras. 416-419.

<sup>4</sup> Judgement, p. 259, para. 604; pp. 263-264, paras. 619-620.

<sup>5</sup> Judgement, p. 176, para. 424; p. 181, para. 436; p. 264, para. 621.

<sup>6</sup> See e.g., Judgement, p. 176, para. 424; p. 259, para. 605; p. 264, para. 621.

<sup>7</sup> See e.g., Judgement, p. 259, para. 605. See also p. 254, para. 590.

<sup>8</sup> See e.g., Judgement, pp. 87-91, paras. 209-218, pp. 173-176, paras. 416-424; p. 254, para. 590.

relation to the guilty findings; (ii) quash the Trial Chamber's findings that Mr. Stanišić provided practical assistance to the crimes or that such assistance had a substantial effect on the perpetration of those crimes; (iii) hold that Mr. Stanišić did not commit the necessary *actus reus*; and (iv) return a finding of NOT GUILTY under Counts 1 to 5.

## Ground Two

18. The Trial Chamber erred in fact as to the *actus reus* of aiding and abetting. Had the totality of the evidence been properly assessed, no reasonable trial chamber could have found, beyond a reasonable doubt, that Mr. Stanišić provided practical assistance which had a substantial effect on the perpetration of the crimes. Each error of fact, singularly or in combination, occasioned a miscarriage of justice. In particular:

- (a) No reasonable trier of fact could have concluded that Mr. Stanišić was responsible for organizing the training of the Unit members and local Serb forces. The Trial Chamber's unfounded analysis included failing to consider Mr. Stanišić's responsibility as distinct from that of Mr. Simatović;<sup>9</sup>
- (b) No reasonable trier of fact could have concluded that Stanišić was responsible for deploying the Unit members and local Serb forces. The Trial Chamber's unfounded analysis included failing to consider Mr. Stanišić's responsibility as distinct from that of Mr. Simatović;<sup>10</sup> and
- (c) No reasonable trier of fact could have concluded that the training of the Unit members and local Serb forces and/or their initial deployment had a substantial effect on the entirety of the crimes.<sup>11</sup>

19. Relief Sought: As a result of each of the Trial Chamber's errors, Mr. Stanišić respectfully requests the Appeals Chamber to: (i) hold that the Trial Chamber erred in fact in relation to the guilty findings; (ii) quash the Trial Chamber's findings that Mr. Stanišić provided practical assistance that had a substantial effect on the crimes; (iii) hold that Mr. Stanišić did not commit the necessary *actus reus*; and (iv) return a finding of NOT GUILTY under Counts 1 to 5.

## Ground Three

<sup>9</sup> See e.g., Judgement, pp. 173-176, paras. 418-424; p. 259, para. 605; p. 257, para. 597.

<sup>10</sup> See e.g., Judgement, pp. 173-176, paras. 418-424; p. 259, para. 605; p. 257, para. 597.

<sup>11</sup> See e.g., Judgement, p. 176, para. 424; p. 259, para. 605.

20. The Trial Chamber erred in law as to the *mens rea* of aiding and abetting. Each error of law, singularly or in combination, invalidates the guilty findings under Counts 1 to 5 of the Indictment for aiding and abetting the crimes of persecution, murder, deportation and inhumane acts (forcible transfer) committed in Bosanski Šamac.

21. The Trial Chamber erred in law in concluding that Mr. Stanišić knew that his acts assisted the commission of the crimes of persecution, murder, and forcible displacement and was aware of the essential elements of the crimes, including the intent of the perpetrators.<sup>12</sup> In its analysis, the Trial Chamber erred by basing its assessment of the existence of knowledge, not on the basis of actual knowledge of the crimes and the intent of the perpetrators, but on the basis of some lesser form of knowledge or remote foresight.<sup>13</sup> In particular, the Trial Chamber:

- (a) Failed to sufficiently identify the relevant JCE and/or principal perpetrators and their intended actions upon which the existence of Stanišić's knowledge was purportedly assessed;<sup>14</sup>
- (b) Failed to consider the context of the attack, including the lack of planning and preparation of, or agreement to commit, the crimes by JCE members, or principal perpetrators, and the extemporaneous nature of the crimes committed;<sup>15</sup>
- (c) Failed to place proper weight on the evidence that showed that Stanišić was not part of the JCE and did not intend the crimes within the common criminal purpose in Croatia and Bosnia;<sup>16</sup>
- (d) Failed to take into account the timing, scale and type of practical assistance when assessing the degree of knowledge of the crimes required and that could be inferred;<sup>17</sup>
- (e) Failed to sufficiently identify the nature and scope of the knowledge that Stanišić purportedly possessed in advance of the crimes;<sup>18</sup>

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<sup>12</sup> Judgement, p. 259, para. 606.

<sup>13</sup> See e.g., Judgement, pp. 259-260, para. 606-607; see also pp. 154-160, paras. 363-379; pp. 171-176, paras. 411-424; and pp. 234-248, paras. 548-572. See also pp. 248-256, paras. 573-596.

<sup>14</sup> See e.g., Judgement, pp. 171-176, paras. 411-424; and pp. 234-248, paras. 548-572.

<sup>15</sup> See e.g., Judgement, pp. 171-176, paras. 411-424.

<sup>16</sup> See e.g., Judgement, pp. 259-260, para. 606-607; pp. 171-176, paras. 411-424; and pp. 234-248, paras. 548-572.

<sup>17</sup> See e.g., Judgement, pp. 171-176, paras. 411-424; pp. 234-248, paras. 548-572; pp. 259-260, paras. 606-607.

<sup>18</sup> See e.g., Judgement, pp. 171-176, paras. 411-424; and pp. 234-248, paras. 548-572; pp. 259-260, paras. 606-607.

- (f) Failed to apply its own legal admonishment - that the knowledge required to satisfy the *mens rea* of aiding and abetting is less when assessing whether an aider and abettor is responsible for assisting an individual crime committed by a single perpetrator compared to assisting crimes committed by a group of persons - to the relevant facts;<sup>19</sup>
- (g) Failed to provide a reasoned opinion for its conclusion that Mr. Stanišić had knowledge, at any time, of each of the essential elements of the crimes which he was convicted, (namely persecution, murder, deportation and inhumane acts (forcible transfer)) and the intent of the perpetrators;<sup>20</sup> and
- (h) Failed to conclude, and a fortiori to provide a reasoned opinion, that Mr. Stanišić possessed the requisite knowledge, which includes knowledge of the essential elements of each of the crimes of which he was convicted, (namely persecution, murder, deportation and inhumane acts (forcible transfer)) and the intent of the perpetrators at the time that the *actus reus* was carried out.<sup>21</sup>

22. Relief Sought: As a result of each of the Trial Chamber's errors, Mr. Stanišić respectfully requests the Appeals Chamber to: (i) hold that the Trial Chamber erred in law in relation to the guilty findings; (ii) quash the Trial Chamber's findings that Mr. Stanišić knew that his acts assisted the commission of the crimes of persecution, murder, and forcible displacement, and was aware of the essential elements of the crimes, including the intent of the perpetrators; (iii) hold that Mr. Stanišić did not possess the necessary *mens rea*; and (iv) return a finding of NOT GUILTY under Counts 1 to 5.

#### **Ground Four**

23. The Trial Chamber erred in fact as to the *mens rea* of aiding and abetting. Had the totality of the evidence been properly assessed, no reasonable trial chamber could have found, beyond a reasonable doubt, that Mr. Stanišić knew that his acts assisted in the commission of the crimes of persecution, murder, and inhumane acts (forcible displacement), and was aware of the essential elements of the crimes, including the intent of the perpetrators.<sup>22</sup> The Trial Chamber's reasoning was tantamount to concluding, on the basis of purported pattern

<sup>19</sup> Judgement, p. 259, para. 603. See also e.g. Judgement, pp. 171-176, paras. 411-424; and pp. 234-248, paras. 548-572.

<sup>20</sup> Judgement, pp. 259-260, paras 606-607.

<sup>21</sup> Judgement, pp. 259-260, paras 606-607.

<sup>22</sup> Judgement, p. 259, para. 606.

evidence only, that any and all Serbian military activity in Croatia and Bosnia in 1992 was criminal and Mr. Stanišić's foresight of those facts was sufficient. Each error of fact, singularly or in combination, occasioned a miscarriage of justice. In particular:

- (a) The Trial Chamber placed undue weight on the crimes that had occurred in Croatia in 1991 and 1992. These had little or no relevance to the question of Stanišić's knowledge of the crimes, or the intent of any relevant perpetrator, in Bosanski Šamac;<sup>23</sup>
- (b) The Trial Chamber placed undue weight on the crimes of looting, destruction of property, sexual assaults and killings of non-Serbs in Bijeljina and Zvornik in early 1992. These had little or no relevance to the question of Stanišić's knowledge of the crimes, or the intent of any relevant perpetrator, in Bosanski Šamac;<sup>24</sup>
- (c) The Trial Chamber placed undue weight on the finding that "the Accused were undoubtedly aware of the campaign of forcible displacement targeting non-Serbs in Croatia and Bosnia and Herzegovina and of the shared intent of the members of the joint criminal enterprise".<sup>25</sup> This knowledge had little or no relevance to the question of Stanišić's knowledge of the crimes, or the intent of any relevant perpetrator, in Bosanski Šamac;<sup>26</sup> and
- (d) The Trial Chamber failed to place due weight on the entirety of the evidence showing the command, the participants, the nature of the planning, preparation and execution of the takeover, and its aftermath in Bosanski Šamac. These were the critical circumstances of relevance to the question of Stanišić's knowledge of the likelihood of the crimes, or the intent of any relevant perpetrator, in Bosanski Šamac.<sup>27</sup>

24. Relief Sought: As a result of each of the Trial Chamber's errors, Mr. Stanišić respectfully requests the Appeals Chamber to: (i) hold that the Trial Chamber erred in fact in relation to the guilty findings; (ii) quash the Trial Chamber's findings that Mr. Stanišić knew that his acts assisted the commission of the crimes of persecution, murder, and forcible displacement, and was aware of the essential elements of the crimes, including the intent of the perpetrators; (iii) hold that Mr. Stanišić did not possess the necessary *mens rea*; and (iv) return a finding of NOT GUILTY under Counts 1 to 5.

<sup>23</sup> See e.g., Judgement, pp. 154-160, paras. 363-379; p. 260, para. 607; pp. 252-256, paras. 585-589, 594-595.

<sup>24</sup> See e.g., Judgement, p. 260, para. 607; pp. 154-160, paras. 363-379, pp. 234-248, paras. 548-572.

<sup>25</sup> Judgement, p. 260, para. 607.

<sup>26</sup> See e.g., Judgement, p. 260, para. 607; pp. 154-160, paras. 363-379, pp. 234-248, paras. 548-572.

<sup>27</sup> See e.g., Judgement, pp. 84-99, paras. 202-234; pp. 171-176, paras. 411-424; p. 259, paras. 604-605.



## B. Grounds of Appeal against Sentence

### **Ground Five**

25. The Trial Chamber erred in fact and in law when it imposed on Mr. Stanišić a sentence of 12 years of imprisonment.<sup>28</sup> The sentence imposed is manifestly unreasonable in all the circumstances, particularly taking into account the form and degree of Mr. Stanišić's participation in the crimes committed and the gravity of the crimes assisted, noting in particular that some mitigation was afforded, meaning that the starting for determination of sentence was in excess of 12 years. Having properly assessed the totality of the evidence, no reasonable trial chamber could have imposed such a severe and manifestly excessive sentence. In particular:

- (a) The Trial Chamber failed to pass a sentence that reflected the fact that Stanišić did not commit these crimes, but was found criminally responsible for aiding and abetting their commission by organizing the training of Unit members and local Serb forces at the Pajzoš camp, and through their subsequent deployment during the takeover of the Bosanski Šamac municipality;<sup>29</sup>
- (b) The Trial Chamber failed to pass a sentence commensurate with the specific nature, scope and degree of assistance provided;<sup>30</sup>
- (c) The Trial Chamber failed to pass a sentence that reflected the finding that it was not proven that Mr. Stanišić exercised control over the perpetrators or directed them during the commission of the crimes;<sup>31</sup>
- (d) The Trial Chamber failed to consider and attach appropriate weight to sentences imposed in comparable cases;<sup>32</sup> and
- (e) The Trial Chamber failed to provide a reasoned opinion as to the assessment of the sentence by failing to provide sufficient reasoning, including by adequate reference to the relevant features of the crimes,<sup>33</sup> and comparison to *appropriately* relevant and comparable cases.<sup>34</sup> By failing to do so, the Trial Chamber obscured both the

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<sup>28</sup> Judgement, p. 270.

<sup>29</sup> See e.g., Judgement, pp. 171-176, paras. 411-424; p. 264, para. 621.

<sup>30</sup> See e.g., Judgement, p. 176, para. 424; p. 259, para. 605; p. 264, para. 621.

<sup>31</sup> See e.g., Judgement, p. 264, para. 621. See p. 176, para. 424.

<sup>32</sup> See e.g., Judgement, pp. 268-269, paras. 633-634.

<sup>33</sup> See e.g., Judgement, pp. 619-620.

<sup>34</sup> See e.g., Judgement, pp. 633-634.

erroneous starting point for determination of sentence and the lack of proportionality of the sentence.

26. The Trial Chamber clearly abused its discretion.

27. Relief Sought: As a result of the Trial Chamber's error and abuse of its discretion, Mr. Stanišić respectfully requests the Appeals Chamber to quash the sentence imposed by the Trial Chamber and to impose a new and appropriate (and considerably lower) sentence.

### **Ground Six**

28. The Trial Chamber erred in law and committed a discernible error by recognizing the length of the proceedings – 18 years and nearly a quarter of Mr. Stanišić's life - and the protracted and limiting nature of any freedom during this time as an “extraordinary circumstance”, and then declining to take it into account as a mitigating factor. The Trial Chamber's reasoning, that this circumstance was, at least in part, the consequence of the ICTY Appeal Chamber's decision to order a retrial and thus they were not able to take it into account in sentencing (as “beyond the remit of this Trial Chamber”), was manifestly unreasonable, illogical and wrong in law.<sup>35</sup>

29. The Trial Chamber's discernible error had a significant effect on the determination of the sentence imposed on Mr. Stanišić.

30. Relief Sought: As a result of the Trial Chamber's discernible errors, Mr. Stanišić respectfully requests the Appeals Chamber to quash the sentence imposed by the Trial Chamber and impose a new and proportionate (and considerably lower) sentence.

### **Ground Seven**

31. The Trial Chamber committed a discernible error when it failed to give appropriate weight to Mr. Stanišić's age and ill-health during the 18 years of trial proceedings as a mitigating factor.

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<sup>35</sup> Judgement, pp. 266-267, paras. 631-632.

32. The Trial Chamber's discernible errors had a significant effect on the determination of the sentence imposed on Mr. Stanišić.

33. Relief Sought: As a result of the Trial Chamber's discernible errors, Mr. Stanišić respectfully requests the Appeals Chamber to quash the sentence imposed by the Trial Chamber and impose a new and proportionate (and considerably lower) sentence.

### **Ground Eight**

34. The Trial Chamber erred in law and committed a discernible error by failing to take into consideration, and weigh appropriately as a mitigating factor, the entirety of Mr. Stanišić's acts and conduct in relation to his cooperation with the international community during the war in Croatia and Bosnia in furtherance of peace and saving lives. In particular:

- (a) Even though the Trial Chamber took into account Mr. Stanišić's "assistance in the release of 300 UNPROFOR hostages, captured French pilots, and an American journalist in Bijeljina, as well as his role at the Dayton Peace Conference in November 1995", the Trial Chamber erred by only according these circumstances "some limited weight in mitigation".<sup>36</sup> No reasonable Trial Chamber would have considered the cooperation with the international community in furtherance of peace and the lives saved as worthy of only "limited weight in mitigation";
- (b) The Trial Chamber erred by failing to take into account Mr. Stanišić's cooperation with the US government and the international community as a whole in support of peace throughout 1991-1995.<sup>37</sup> This *undisputed* evidence was not limited to the (1995) "assistance in the release of 300 UNPROFOR hostages, captured French pilots, and an American journalist in Bijeljina, as well as his role at the Dayton Peace Conference in November 1995". It spanned 1991 to 1995 and was worthy of significant weight in mitigation; and
- (c) The Trial Chamber erred by refusing to allow the evidence of RJS-01 to be admitted.<sup>38</sup> It was uniquely relevant and probative and ought to have been

<sup>36</sup> Judgement, pp. 266-267, para. 627.

<sup>37</sup> See e.g. RJS-11, RJS-01, and 1D00055.

<sup>38</sup> *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Stanišić Motion for Admission of Evidence of RJS-01 Pursuant to Rule 111, 11 June 2019, para. 19; *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 18 December 2019, p. 4; *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Stanišić Motion for Reconsideration or Alternatively for Certification to Appeal, 9 September 2019 (confidential), p. 4; *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-

admitted, not only as evidence of Mr. Stanišić’s “alleged intent and participation in a joint criminal enterprise”,<sup>39</sup> but also, *inter alia*, as mitigation (reflecting the extent of his cooperation with foreign intelligence services in furtherance of peace, saving lives, and accountability for international crimes). Alternatively, the Trial Chamber erred in fact by failing to implement its own direction that “the Trial Chamber will take into account Stanišić’s inability to call Witness RJS-01 when deciding on the ultimate weight to be given in the final judgement to evidence on his alleged intent and participation in a joint criminal enterprise”.<sup>40</sup> If the Trial Chamber intended to limit its consideration of Mr. Stanišić’s inability to call RJS-01’s evidence as relevant only to the issues of intent and participation in the JCE<sup>41</sup> (and not sentence), this was a discernable error which had a significant effect on the sentence imposed.

35. The Trial Chamber’s discernible errors had a significant effect on the determination of the sentence imposed on Mr. Stanišić.

36. Relief Sought: As a result of the Trial Chamber’s discernible error, Mr. Stanišić respectfully requests the Appeals Chamber to quash the sentence imposed by the Trial Chamber and impose a new and appropriate (and considerably lower) sentence.

Respectfully submitted,



Wayne Jordash QC

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96-T, Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 18 December 2019, p. 4; *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Certification to Appeal Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 7 February 2020, p. 4.

<sup>39</sup> *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 18 December 2019, p. 3.

<sup>40</sup> *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Certification to Appeal Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 7 February 2020, p. 3.

<sup>41</sup> *Prosecutor v. Jovica Stanišić and Franco Simatović*, MICT-15-96-T, Decision on Renewed Stanišić Motion for Admission of Evidence of Witness RJS-01 Pursuant to Rule 111, 18 December 2019, p. 3.

Counsel for Jovica Stanišić

6 September 2021

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