

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-15-96-ES.2

Date: 17 March 2026

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana, President

Registrar: Mr. Abubacarr M. Tambaou

Decision of: 17 March 2026

PROSECUTOR

v.

JOVICA STANIŠIĆ

PUBLIC

**DECISION ON REQUEST TO EXCEED WORD LIMIT FOR
JOVICA STANIŠIĆ'S APPLICATION FOR EARLY RELEASE**

Counsel for Mr. Jovica Stanišić:

Mr. Wayne Jordash
Mr. Geert-Jan Alexander Knoops
Ms. Mirjana Vukajlović

I, GRACIELA GATTI SANTANA, President of the International Residual Mechanism for Criminal Tribunals (“President” and “Mechanism”, respectively);

RECALLING that Mr. Jovica Stanišić (“Stanišić”) is serving a 15-year sentence of imprisonment in the Federal Republic of Germany (“Germany”), following his conviction by the Mechanism;¹

NOTING that Germany has notified the Mechanism that Stanišić will have served two-thirds of his sentence in March 2026 (“State Notification”);²

RECALLING that, on 10 March 2026, I declared null and void Stanišić’s 22,270-word direct petition for early release, filed on 4 March 2026,³ as it did not comply with the Practice Direction on Lengths of Briefs and Motions;⁴

BEING SEISED of a motion, filed by Stanišić on 11 March 2026, wherein he submits that exceptional circumstances justify granting him leave to exceed the 3,000-word limit and submit a 22,270-word application for early release;⁵

NOTING Stanišić’s submissions, *inter alia*, that exceptional circumstances stemming from lengthy proceedings before the International Criminal Tribunal for the Former Yugoslavia and Mechanism raise issues relevant to his early release, including: (i) the nature and scope of his contributions to the common criminal purpose in contrast to other joint criminal enterprise members; (ii) his actions in furtherance of peace; (iii) his conduct during, and in the 20 years following, the indictment period; (iv) his acknowledgement and critical reflection of personal responsibility; (v) his anxiety, uncertainty, and stress from having “been subjected to a large portion of his life in trial” as well as his chronic health conditions; and (vi) the length of time he was held at the United Nations Detention Unit in The Hague, or under strict conditions of provisional release in Belgrade;⁶

¹ See Order Designating the State in Which Jovica Stanišić is to Serve the Remainder of his Sentence, 9 October 2024, p. 1; *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-A, Judgement, 31 May 2023 (public redacted), para. 664.

² *Note verbale* from the Embassy of Germany in The Hague to the Mechanism, 26 January 2026, p. 1. See also *Note verbale* from the Embassy of Germany in The Hague to the Mechanism, 16 January 2026 (confidential), p. 1.

³ Application for Early Release for Mr. Jovica Stanišić, 4 March 2026 (confidential).

⁴ Practice Direction on Lengths of Briefs and Motions, MICT/11/Rev.1, 20 February 2019 (“Practice Direction”), Articles 15, 17; Decision related to Jovica Stanišić’s Application for Early Release, 10 March 2026, pp. 1-2.

⁵ Request to Exceed Word Limit in Application for Early Release for Mr. Jovica Stanišić, 11 March 2026 (confidential) (“Motion”), paras. 1, 8.

⁶ See Motion, paras. 2-7.

RECALLING that, according to the Practice Direction, a motion shall not exceed 3,000 words and that, to exceed the word limit, a party must seek advance authorisation and provide an explanation of the exceptional circumstances that necessitate the oversized filing;⁷

CONSIDERING that the issues that Stanišić raises are not exceptional in comparison to those advanced in other early release applications, which concern similarly complex cases, cover equally extensive timeframes, and frequently address the aging applicant's numerous medical conditions;

CONSIDERING that Stanišić has not demonstrated exceptional circumstances which distinguish his case and which necessitate an extension of the word limits prescribed in the Practice Direction;

RECALLING that the quality and effectiveness of written submissions do not depend on their length, but on the clarity and cogency of the arguments presented and that, therefore, excessively long briefs do not facilitate the efficient administration of justice;⁸

NOTING that the State Notification remains pending and that I am presently collecting information to assist my determination of whether or not to release Stanišić early;⁹

CONSIDERING that I will communicate to Stanišić all relevant information collected and will take into account Stanišić's written response thereto in the adjudication of his early release;¹⁰

CONSIDERING nevertheless, that focused submissions addressing, in particular, issues not raised in the State Notification may facilitate the expeditious consideration of the matter;

FOR THE FOREGOING REASONS,

HEREBY DENY the Motion; and

ORDER that any direct petition filed by Stanišić comply with the present decision.

⁷ Practice Direction, Articles 15, 17.

⁸ See *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-A, Decision on Requests for Extensions of Time and Word Limits for Respondent's Briefs, 14 December 2021, p. 3; *Prosecutor v. Radovan Karadžić*, Case No. MICT-13-55-A, Decision on Request to Exceed Word Limit for Request for Review of Registrar's Decision, 15 February 2018, p. 1. See also *Prosecutor v. Enver Hadžihasanović and Amir Kubura*, Case No. IT-01-47-A, Decision on Defence Motion on Behalf of Enver Hadžihasanović Seeking Leave to Exceed Word Limit for the Appeal Brief, 22 January 2007, p. 3; *Ferdinand Nahimana et al. v. Prosecutor*, Case No. ICTR-99-52-A, Decision on Ferdinand Nahimana's Second Motion for an Extension of Page Limits for Appellant's Brief, 31 August 2004, p. 3.

⁹ See Practice Direction on the Procedure for the Determination of Applications for Pardon, Commutation of Sentence, or Early Release of Persons Convicted by the ICTR, the ICTY, or the Mechanism (MICT/3/Rev.4), 1 July 2024 ("Practice Direction on Early Release"), para. 10.

¹⁰ See Practice Direction on Early Release, paras. 12-13.

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

Done this 17th day of March 2026,
At The Hague,
The Netherlands.



Judge Graciela Gatti Santana
President

[Seal of the Mechanism]



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