

**UNITED  
NATIONS**



International Residual Mechanism  
for Criminal Tribunals

Case No.: MICT-13-56-A

Date: 28 October 2020

Original: English

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**IN THE APPEALS CHAMBER**

**Before:** Judge Prisca Matimba Nyambe, Presiding

**Registrar:** Mr. Abubacarr Tambadou

**Order of:** 28 October 2020

**PROSECUTOR**

v.

**RATKO MLADIĆ**

***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  
Ms. Barbara Goy

**Counsel for Mr. Ratko Mladić:**

Mr. Branko Lukić  
Mr. Dragan Ivetić

**I, PRISCA MATIMBA NYAMBE**, 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 issued in this case by Trial Chamber I of the International Criminal Tribunal for the former Yugoslavia on 22 November 2017;<sup>2</sup>

**NOTING** the appeals against the Trial Judgement filed before the Mechanism by Mr. Ratko Mladić (“Mr. Mladić”) and the Office of the Prosecutor of the Mechanism;<sup>3</sup>

**NOTING** the appeal hearing in this case that took place on 25 and 26 August 2020;<sup>4</sup>

**NOTING** that Mr. Mladić is currently in custody at the United Nations Detention Unit (“UNDU”) in The Hague pending resolution of the appeal proceedings against the Trial Judgement;

**RECALLING** 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 a person in custody pending appeal the opportunity to raise issues in relation thereto, including the mental and physical condition of that person;

**NOTING** that, pursuant to Rule 69(B) of the Rules, I held the last status conference in this case on 24 July 2020 by means of a videoconference with Mr. Mladić and Defence counsel physically present in the courtroom;<sup>5</sup>

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<sup>1</sup> Order Assigning Judges to a Case Before the Appeals Chamber, 19 December 2017, p. 1; Order Assigning Three Judges Pursuant to Rule 18 of the Rules, 4 September 2018 (originally filed in French, English translation filed on 5 September 2018), p. 1; Order Assigning a Pre-Appeal Judge, 12 September 2018, p. 1.

<sup>2</sup> *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T, Judgment, 22 November 2017 (public with confidential annex) (“Trial Judgement”).

<sup>3</sup> See Notice of Appeal of Ratko Mladić, 22 March 2018 (public with public and confidential annexes); Appeal Brief on Behalf of Ratko Mladić, 6 August 2018 (confidential); Notice of Filing of Corrigendum to: Appeal Brief on Behalf of Ratko Mladić, 16 August 2018 (confidential; public redacted version filed on 11 September 2018); Prosecution Response Brief, 14 November 2018 (confidential; public redacted version filed on 1 February 2019); Reply to Prosecution’s Response Brief on Behalf of Ratko Mladić, 29 November 2018 (confidential; public redacted version filed on the same date). See also Prosecution’s Notice of Appeal, 22 March 2018; Prosecution Appeal Brief, 6 August 2018 (confidential; public redacted version filed on 7 August 2018); Response to Prosecution’s Appeal Brief on Behalf of Ratko Mladić, 14 November 2018; Prosecution Rep[ly] Brief, 29 November 2018 (confidential; public redacted version filed on 21 January 2019).

<sup>4</sup> T. 25 August 2020 pp. 1-110; T. 26 August 2020 pp. 1-109; Decision on the Scheduling of the Appeal Hearing and a Status Conference, 17 July 2020 (“Decision of 17 July 2020”), para. 20, p. 10.

<sup>5</sup> T. 24 July 2020 pp. 1-26; Decision of 17 July 2020, para. 22, p. 10. See also Order Scheduling a Status Conference, 11 May 2020; Order Relating to the Status Conference, 20 May 2020; Order Concerning the Status Conference and Medical Reporting by the Registrar, 22 May 2020.

**RECALLING** that, pursuant to Rule 69(C) of the Rules, with the 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;

**CONSIDERING** the coronavirus pandemic-related restrictions, including restrictions on travel;<sup>6</sup>

**FINDING** that it is therefore appropriate that I conduct a status conference in The Hague by means of a videoconference;

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

**HEREBY ORDER** that a status conference shall be held on Thursday, 19 November 2020, at 14.00, in Courtroom 1, which I will conduct by means of a videoconference;

**ORDER** Mr. Mladić to give written notice by 5 November 2020 in the event that he would wish to proceed with the status conference in accordance with Rule 69(C)(i) or Rule 69(C)(ii) of the Rules;

**ORDER** the Registrar to facilitate Mr. Mladić's physical presence in the courtroom during the status conference, with the necessary safety measures in place, or, should Mr. Mladić not wish to be physically present in the courtroom, to facilitate his participation from the UNDU by means of a videoconference-link and a separate line of confidential communication with his counsel; and

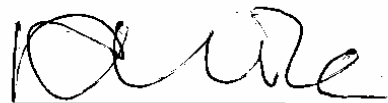
**ORDER** the Registrar to ensure that the courtroom be adapted for the safe conduct of the status conference and that communication facilities for remote participation of myself and/or counsel, if required, be available.

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<sup>6</sup> See, e.g., "Coronavirus Disease (COVID-19) Pandemic", World Health Organization: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019> (accessed on: 28 October 2020); "Dutch measures against coronavirus", Government of the Netherlands: <https://www.government.nl/topics/coronavirus-covid-19/tackling-new-coronavirus-in-the-netherlands> (accessed on: 28 October 2020); "Travel during the coronavirus pandemic", European Commission, [https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/travel-during-coronavirus-pandemic\\_en](https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/travel-during-coronavirus-pandemic_en) (accessed on: 28 October 2020).

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

Done this 28<sup>th</sup> day of October 2020,  
At The Hague,  
The Netherlands



Judge Prisca Matimba Nyambe  
Presiding Judge

**[Seal of the Mechanism]**



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