

IT-03-69-PT  
D4277-D4276  
29 JULY 2004

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**UNITED  
NATIONS**



International Tribunal for the  
Prosecution of Persons  
Responsible for Serious Violations of  
International Humanitarian Law  
Committed in the Territory of  
Former Yugoslavia since 1991

Case No. IT-03-69-PT  
Date: 29 July 2004  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Patrick Robinson, Presiding  
Judge O-Gon Kwon  
Judge Bert Swart

**Registrar:** Mr. Hans Holthuis

**Decision:** 29 July 2004

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ AND FRANKO SIMATOVIĆ**

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**ORDER GRANTING STAY OF  
DECISIONS ON PROVISIONAL RELEASE**

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**The Office of the Prosecutor:**

Mr. Dermot Groome  
Mr. David Re  
Ms. Melissa Pack

**Counsel for the Accused:**

Mr. Geert-Jan Alexander Knoops and Mr. Wayne Jordash for Jovica Stanišić  
Mr. Zoran Jovanović for Franko Simatović

**THIS TRIAL CHAMBER** of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("International Tribunal"),

**BEING SEISED** of a "Prosecution's Motion to Stay 'Decisions on Provisional Release' pursuant to Rule 65 and Rule 127" filed by the Office of the Prosecutor ("Prosecution") on 29 July 2004 ("the Motion"), requesting a stay of two decisions issued by the Trial Chamber on 28 July 2004 granting provisional release to the accused Jovica Stanišić and Franko Simatović ("Decisions on Provisional Release"),<sup>1</sup>

**HAVING CONSIDERED** the submissions in support of the Motion,

**PURSUANT TO** Rules 54, 65(E), 65(G) and 127(A)(ii) of the Rules of Procedure and Evidence of the International Tribunal ("Rules")

**HEREBY GRANTS** the Motion, and **ORDERS** as follows:

- (1) the Prosecution may file an application for leave to appeal no later than today, 29 July 2004, and
- (2) the accused shall not be released save as provided in Rule 65(G) of the Rules.

  
\_\_\_\_\_  
Patrick Robinson  
Presiding

Dated this twenty-ninth day of July 2004  
At The Hague  
The Netherlands

[Seal of the Tribunal]

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