

IT-03-69-T
D 16961 - D 16960
07 December 2012

16961 9/8.

**UNITED
NATIONS**



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

Case No. IT-03-69-T
Date: 7 December 2012
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Michèle Picard
Judge Elizabeth Gwaunza

Registrar: Mr John Hocking

Decision of: 7 December 2012

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**ORDER IN RELATION TO THE PROVISIONAL RELEASE OF
THE ACCUSED**

Office of the Prosecutor

Mr Dermot Groome

Counsel for Jovica Stanišić

Mr Wayne Jordash
Mr Scott Martin

The Government of the Republic of Serbia

Per: The Embassy of the Republic of Serbia
to the Kingdom of the Netherlands

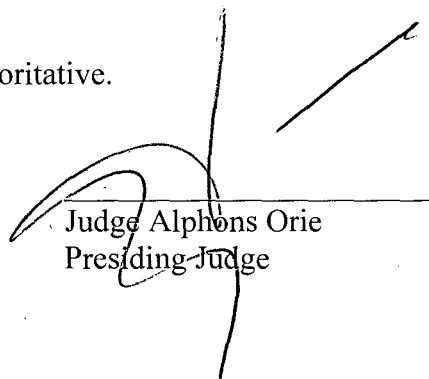
Counsel for Franko Simatović

Mr Mihajlo Bakrač
Mr Vladimir Petrović

The Government of the Kingdom of the Netherlands

1. On 16 July 2012, the Chamber granted the provisional release of the Accused Franko Simatović and the Accused Jovica Stanišić (together: "Accused") from 20 July to 4 October 2012.¹ On 24 September 2012, the Chamber granted requests from the Accused to extend their provisional release and ordered the Accused to return to the Tribunal "on or before a date which the Chamber will set as soon as the scheduling of the closing arguments is finalized and which it will communicate to the Registry, the parties, Serbia, and the Dutch authorities" ("Return Date").²
2. The Chamber recalls and refers to the applicable law governing provisional release as set out in its previous decisions.³
3. On 5 December 2012, the Chamber decided that the closing arguments in this case be heard from 29 to 31 January 2013.⁴ Accordingly, the Chamber considers the appropriate Return Date to be Thursday 24 January 2013.
4. For the foregoing reasons, pursuant to Rules 54 and 65 of the Tribunal's Rules of Procedure and Evidence, the Chamber **ORDERS** the Accused to return to the Tribunal on or before Thursday 24 January 2013 and **CLARIFIES** that all other conditions set in relation to their provisional release remain in force.

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



Judge Alphons Orie
Presiding Judge

Dated this Seventh day of December 2012
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ Order Issuing a Public Redacted Version of the Confidential Decision on the Stanišić Defence Request for Provisional Release of 16 July 2012, 7 November 2012; Decision on the Conditions of the Accused Stanišić's Provisional Release, 24 August 2012; Decision on the Stanišić Defence Request for Provisional Release, 16 July 2012 (Confidential), paras 15 (3)(a) and (c); Decision on Simatović Request for Provisional Release, 16 July 2012, pp. 3-6.

² Decision on Stanišić Request for Extension of Provisional Release, 24 September 2012; Decision on Simatović Request for Extension of Provisional Release, 24 September 2012.

³ Decision on Simatović Request for Provisional Release, 13 December 2011, paras 6-7 and the decisions cited therein.

⁴ Closing and Scheduling Order and Decision on Defence Requests for Word Limit Extensions for Final Trial Briefs, 5 December 2012, para. 5.