

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-15-96-A

Date: 5 December 2022

Original: English

IN THE APPEALS CHAMBER

Before: Judge Graciela Gatti Santana, Presiding
Judge Lee G. Muthoga
Judge Aminatta Lois Runeni N’gum
Judge Yusuf Aksar
Judge Claudia Hoefler

Registrar: Mr. Abubacarr M. Tambadou

Order of: 5 December 2022

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

SCHEDULING ORDER FOR THE HEARING OF THE APPEALS

The Office of the Prosecutor:

Mr. Serge Brammertz
Ms. Laurel Baig

Counsel for Mr. Jovica Stanišić:

Mr. Wayne Jordash
Mr. Joe Holmes

Counsel for Mr. Franko Simatović:

Mr. Mihajlo Bakrač
Mr. Vladimir Petrović

THE APPEALS CHAMBER of the International Residual Mechanism for Criminal Tribunals (“Appeals Chamber” and “Mechanism”, respectively);¹

NOTING the judgement pronounced by the Trial Chamber of the Mechanism in the case of *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-T, on 30 June 2021 and filed in writing on 6 August 2021;²

NOTING the appeals against the Trial Judgement filed by Mr. Jovica Stanišić (“Stanišić”), Mr. Franko Simatović (“Simatović”), and the Office of the Prosecutor of the Mechanism (“Prosecution”), and that the briefing in relation to each respective appeal was completed on 15 February 2022;³

PURSUANT to Rule 141 of the Rules of Procedure and Evidence of the Mechanism (“Rules”),

HEREBY ORDERS that the in-person hearing of the appeals in the present case shall take place on Tuesday and Wednesday, 24 and 25 January 2023, in Courtroom 1 at the Hague Branch of the Mechanism; and

INFORMS the parties that the dates and timetable of the hearing shall be as follows, subject to adjustments as appropriate:⁴

¹ Order Assigning Judges to a Case Before the Appeals Chamber, 10 September 2021, p. 1; Order Replacing a Judge in a Case Before the Appeals Chamber, 5 July 2022, p. 1.

² *Prosecutor v. Jovica Stanišić and Franko Simatović*, Case No. MICT-15-96-T, Judgement, 6 August 2021 (“Trial Judgement”). See also T. 30 June 2021 pp. 1-16.

³ For Stanišić’s appeal: Stanišić Defence Notice of Appeal, 6 September 2021; Stanišić Defence Appeal Brief, 22 November 2021 (confidential; public redacted version filed on 13 October 2022); Prosecution Response to Stanišić Defence Appeal Brief, 31 January 2022 (confidential; public redacted version filed on 9 November 2022); Simatović Defence Respondent’s Brief, 31 January 2022 (confidential); Stanišić Defence Reply to Prosecution Response to Stanišić Defence Appeal Brief, 15 February 2022 (confidential). For Simatović’s appeal: Simatović Defence Notice of Appeal, 6 September 2021; Simatović Defence Appeal Brief, 22 November 2021 (confidential); Prosecution Response to Simatović Defence Appeal Brief, 31 January 2022 (confidential); Simatović Defence Reply to Prosecution Response to Simatović Defence Appeal Brief, 15 February 2022 (confidential). For the Prosecution’s appeal: Prosecution Notice of Appeal, 6 September 2021; Prosecution Appeal Brief, 22 November 2021 (confidential; public redacted version filed on 19 May 2022); Stanišić Defence Response to Prosecution Appeal Brief, 31 January 2022 (confidential); Simatović Defence Respondent’s Brief, 31 January 2022 (confidential); Prosecution Reply to Stanišić Defence Response to Prosecution Appeal Brief, 15 February 2022 (confidential); Prosecution Reply to Simatović Defence Respondent’s Brief, 15 February 2022 (confidential).

⁴ The timetable may be adjusted during the hearing to accommodate the Judges’ questions without shortening the time allocated to the presentation of submissions. In the event that the Appeals Chamber admits additional evidence on appeal under Rule 142 of the Rules and oral submissions or the examination of any witness is required, this shall occur the week of 23 January 2023 and prior to the hearing of the appeals.

Tuesday, 24 January 2023

10:00 – 10:10 Introductory Statement by the Presiding Judge (10 minutes)

Appeals of Stanišić and Simatović

10:10 – 11:10 Submissions of Stanišić (1 hour)

11:10 – 11:30 Pause (20 minutes)

11:30 – 12:30 Submissions of Simatović (1 hour)

12:30 – 14:00 Pause (1 hour 30 minutes)

14:00 – 15:30 Response of the Prosecution (1 hour 30 minutes)

15:30 – 16:00 Pause (30 minutes)

16:00 – 16:20 Reply of Stanišić (20 minutes)

16:20 – 16:40 Reply of Simatović (20 minutes)

Wednesday, 25 January 2023**Appeal of the Prosecution**

10:00 – 11:00 Submissions of the Prosecution (1 hour)

11:00 – 11:15 Pause (15 minutes)

11:15 – 12:00 Response of Stanišić (45 minutes)

12:00 – 13:30 Pause (1 hour 30 minutes)

13:30 – 14:15 Response of Simatović (45 minutes)

14:15 – 14:35 Reply of the Prosecution (20 minutes)

Optional Personal Address

14:35 – 14:45 Optional Personal Address by Mr. Jovica Stanišić (10 minutes)

14:45 – 14:55 Optional Personal Address by Mr. Franko Simatović (10 minutes)

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

Done this 5th day of December 2022,
At The Hague,
The Netherlands



Judge Graciela Gatti Santana
Presiding Judge

[Seal of the Mechanism]



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