



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-08-91-PT
Date: 26 May 2009
Original: English

IN TRIAL CHAMBER III

Before: Judge Frederik Harhoff, Pre-Trial Judge
Registrar: Mr. John Hocking
Order of: 26 May 2009

THE PROSECUTOR

v.

**MIĆO STANIŠIĆ
&
STOJAN ŽUPLJANIN**

PUBLIC

**SCHEDULING ORDER FOR A STATUS CONFERENCE AND ORDER
RECALLING THE ACCUSED FROM PROVISIONAL RELEASE**

The Office of the Prosecutor

Mr. Thomas Hannis
Mrs. Joanna Korner

Government of the Republic of Serbia

Counsel for the Accused

Mr. Slobodan Zečević and Mr. Slobodan
Cvijetić for Mićo Stanišić

Government of the Kingdom of the Netherlands

Mr. Tomislav Višnić and Mr. Igor Pantelić
for Stojan Župljanin

I, Frederik Harhoff, Judge 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 (“Tribunal”) and Pre-trial Judge in this case;¹

NOTING that in its Scheduling Order for the Submission of Pre-Trial Briefs and Other Materials Pursuant to Rule 65ter, issued on 8 May 2009, the Prosecution was ordered to file its Pre-Trial Brief along with its witness and exhibit list in consonance with Rule 65ter (E) of the Rules of Procedure and Evidence (“Rules”) by 8 June 2009, while the Defence for both Mićo Stanišić and Stojan Župljanin were ordered to file their respective Pre-Trial Briefs pursuant to Rule 65ter (F) by 29 June 2009;

NOTING that the pre-trial stage of the case is nearing conclusion and that the Parties are required to prepare for the Pre-Trial Conference pursuant to Rule 73bis of the Rules of Procedure and Evidence (“Rules”), to be scheduled before the summer recess so as to enable the trial to commence shortly after the summer recess;

NOTING that for the purposes of proper preparation for the trial, the Chamber finds that it would be in the interest of all Parties, and of the Trial Chamber itself, to allow adequate time between the Pre-Trial Conference and the ensuing commencement of the trial;

NOTING that Rule 65bis empowers the Trial Chamber or a Trial Chamber Judge to organise Status Conferences to facilitate exchanges between the parties and to allow the Accused the opportunity to raise issues in relation thereto;

CONSIDERING that the Accused Mićo Stanišić surrendered to the Tribunal on 11 March 2005 and, barring the lone Order Recalling the Accused issued on 11 April 2008, he has since been on provisional release in Belgrade, Republic of Serbia pursuant to Rule 65 of the Rules;²

CONSIDERING that the Trial Chamber is of the opinion that at this stage of the pre-trial preparations, consensus could be best achieved through the simultaneous presence of all parties involved, including both the Accused in person;

HAVING consulted the Parties on the matter of the Status Conference;

¹ Order Re-Assigning Case to a Trial Chamber and Assigning Ad Litem Judges for the Purposes of Pre-Trial Work, 24 March 2009.

² *Prosecutor v Mićo Stanišić*, Case No: IT-04-79-PT, “Decision Following the Registrar’s Submission Regarding Mićo Stanišić’s Legal Representation with Incorporated Scheduling Order and Order Recalling the Accused from Provisional Release”, 11 April 2008 and “Order Reinstating Provisional Release”, 10 July 2008.

PURSUANT to Article 29 of the Statute of the International Criminal Tribunal for the Former Yugoslavia and Rules 54, 65 and 65bis of the Rules;

HEREBY ORDER that

- (A) A Status Conference shall be held on Tuesday, 9 June 2009 at 14:15 hours in a courtroom to be designated by the Registry;
- (B) A second Status Conference, to oversee the progress made by the Parties in accordance with the guidance provided at the first Status Conference referred to above, shall be held on Friday, 12 June 2009 at a time and in a courtroom to be designated by the Registry;
- (C) The Accused Mićo Stanišić return to the United Nations Detention Unit by Monday, 8 June 2009 and therefore, suspend his provisional release for the purpose of attending these Status Conferences;

AND REQUEST that

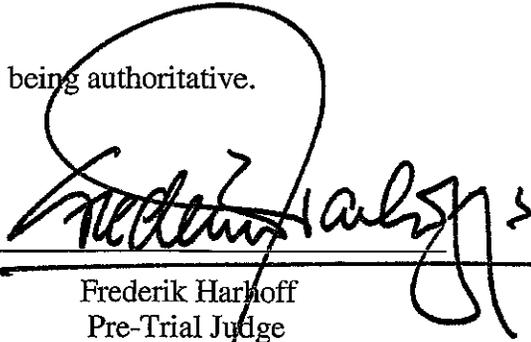
- (D) The Government of the Republic of Serbia ensure that the Accused is transported, under guard, from Belgrade, Republic of Serbia to Schipol Airport or any other airport in the Netherlands and released into the custody of the designated officers of the Government of the Kingdom of Netherlands;
- (E) The Government of the Kingdom of Netherlands ensure that the Accused is transported, under guard, from Schipol Airport or any other airport in the Netherlands to the custody of the United Nations Detention Unit;

AND FURTHER ORDER

- (F) The Registry to make all necessary arrangements, including to liaise with the Government of the Kingdom of Netherlands and of Republic of Serbia, to enable the Accused Mićo Stanišić to return from his provisional release in Belgrade, Republic of Serbia by the said date for the purposes of attending these Status Conferences as scheduled by this Order;

(G) The suspension of the provisional release shall remain in place and effect till further order of modification by the Trial Chamber.

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



Frederik Harhoff
Pre-Trial Judge

Dated this twenty-sixth day of May, 2009
At The Hague
The Netherlands

[Seal of the Tribunal]