



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-PT

Date: 6 July 2007

Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Patrick Robinson, Presiding  
Judge Krister Thelin  
Judge Frank Höpfel

**Registrar:** Mr. Hans Holthuis

**Order of:** 6 July 2007

**PROSECUTOR**

v.

**JOVICA STANIŠIĆ  
FRANKO SIMATOVIĆ**

***PUBLIC***

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**ORDER ON THE CONDITIONS OF PROVISIONAL RELEASE OF THE ACCUSED  
FRANKO SIMATOVIĆ**

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**The Office of the Prosecutor**

Ms. Brehmeier-Metz  
Mr. Gregory Townsend

**Counsel for Jovica Stanišić**

Mr. Geert-Jan Alexander Knoops  
Mr. Wayne Jordash

**Counsel for Franko Simatović**

Mr. Zoran Jovanović

**Republic of Serbia**

**TRIAL CHAMBER III** of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed on the Territory of the former Yugoslavia since 1991 (“International Tribunal”),

**NOTING** the Decision on Provisional Release issued on 28 July 2004 (“Decision”), granting the request of Franko Simatović (“Accused”) to be provisionally released pending the start of his trial,

**CONSIDERING** the strict requirements set out in the Decision for the Accused’s provisional release, which provides that *inter alia*, (1) the Accused shall abide strictly with any requirement of the authorities of the Republic of Serbia necessary to enable them to comply with their obligations under the Decision and their guarantees, (2) the Republic of Serbia shall submit a written report to the Trial Chamber every two weeks as to the compliance of the Accused with the terms of the Decision, and (3) the Republic of Serbia shall report immediately to the Trial Chamber any breach of the conditions set out in the Decision,

**NOTING** the State Report of the Republic of Serbia, filed confidentially on 5 July 2007, stating

[...] that Franko SIMATOVIĆ has not fully complied with the conditions of his provisional release and the order of the Ministry of Justice. According to a report by the protection unit of the Ministry of the Interior of 26 June 2007, his whereabouts between 1200 hrs and 2035 hrs on 9 June 2007 are unknown. He had left his residence at 1200 hrs, without informing the Ministry of the Interior employees in charge of his security about the time of his departure or the location where he would be, and reported his location only at 2035 hrs,

**CONSIDERING** that any breach of the Decision or any breach of an Order of the Ministry of Justice of the Republic of Serbia regarding the Accused’s provisional release may result in an order to revoke the Accused’s provisional release,

**CONSIDERING** that the Accused must forthwith provide a full and detailed explanation for the reported absence,

**CONSIDERING** that the Republic of Serbia should be invited to report to the Trial Chamber, within one week of the date of this Decision, on whether there has been an investigation of the reported absence of the Accused, and to provide any other relevant information pertaining to the reported absence of the Accused,

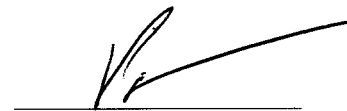
**CONSIDERING** that on the basis of the information provided by the Accused and the report of the Republic of Serbia, the Trial Chamber may issue further orders on the matter,

**FOR THE FOREGOING REASONS,**

**PURSUANT TO** Rule 54 and 65 of the Rules,

**HEREBY ORDERS** the Accused to provide a full and detailed explanation for his reported absence no later than Monday, 9 July 2007 and **INVITES** the Republic of Serbia to report, within one week of the date of this decision, on whether there has been an investigation of the reported absence of the Accused, and to provide any other relevant information pertaining to the reported absence of the Accused.

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



Patrick Robinson  
Presiding

Dated this sixth day of July 2007  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**