



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-04-79-PT  
Date: 4 December 2007  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Krister Thelin, Pre-trial Judge

**Registrar:** Mr. Hans Holthuis

**Order of:** 4 December 2007

**PROSECUTOR**

v.

**MIĆO STANIŠIĆ**

**PUBLIC**

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**ORDER WITH REQUEST FOR INFORMATION FROM THE  
REPUBLIC OF SERBIA**

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**Government of the Republic  
of Serbia**

**The Office of the Prosecutor:**

Ms. Anna Richterova

**Counsel for the Accused:**

Mr. Stevo Bezbradica

I, Judge Krister Thelin, Pre-Trial Judge in the case *Prosecutor v. Mićo Stanišić* at 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”),<sup>1</sup>

**NOTING** the “Decision on Mićo Stanišić’s Motion for Provisional Release” issued by Trial Chamber II of the International Criminal Tribunal for the former Yugoslavia (“Trial Chamber”), on 19 July 2005 (“Decision”);<sup>2</sup>

**NOTING**, that in the Decision, which allows Mićo Stanišić (“Accused”) to provisionally reside in his home in Belgrade and “to return to the Tribunal at such time and on such date as the Tribunal may order”, the Trial Chamber *inter alia* ordered the Accused’s strict compliance with the terms set out in the Decision, and required the government of the Republic of Serbia to assume a number of responsibilities in respect of the Accused’s provisional release;

**NOTING**, that amongst these responsibilities, the government of the Republic of Serbia was required to submit written reports on the Accused’s compliance with the terms of the Decision on a monthly basis;

**NOTING**, further, that the Trial Chamber, which previously had received timely monthly reports, did not receive any reports for the months of June, July, August, September and October 2007;

**NOTING** that the Trial Chamber, through its Senior Legal Officer in a letter of 2 November 2007, requested, that the Government of the Republic of Serbia submit by 16 November 2007 “a written report as to the compliance of Mr. Mićo Stanišić with the terms of the Decision together with an explanation of its failure to have done so on a monthly basis during the period since 17 May 2007”;<sup>3</sup>

**NOTING**, finally, that on 13 November 2007 the Trial Chamber received a report, similar to those previously received, from the Ministry of Justice of the Republic of Serbia, informing the Trial Chamber that the Accused and the authorities of the Republic of Serbia have fully complied with the conditions set out in the Decision “in the last reporting period”,<sup>4</sup> but that no reference was made to the request for information of 2 November 2007, and no further information was provided to the Trial Chamber in this communication;

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<sup>1</sup> *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, Order Regarding Composition of Trial Chamber and Designating a Pre-Trial Judge, 21 March 2007.

<sup>2</sup> *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, Decision on Mićo Stanišić’s Motion for Provisional Release, 19 July 2005.

<sup>3</sup> *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, Correspondence from SLO, TC II, 2 November 2007.

<sup>4</sup> *Prosecutor v. Mićo Stanišić*, Case No.: IT-04-79-PT, State report on Provisional Release, 13 November 2007.

**CONSIDERING** the need to have full clarity regarding the Accused's compliance with the conditions for provisional release, pursuant to Rule 54 of the Rules of Procedure and Evidence of the Tribunal, hereby **REQUEST** the Republic of Serbia, by and no later than 31 December 2007, to:

- (a) provide the Trial Chamber with an explanation as to why the Republic of Serbia has failed to submit its monthly reports for the period running from June to October 2007, and
- (b) submit to the Trial Chamber, a full report for the period from June 2007 until the current date on the Accused's compliance with the terms of the Decision.

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

Dated this 4<sup>th</sup> day of December 2007  
At The Hague  
The Netherlands



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Judge Krister Thelin  
Pre-Trial Judge

**[Seal of the Tribunal]**