



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 Nos. IT-08-91-PT
Date: 12 November 2008
Original: English

IN TRIAL CHAMBER II

Before: Judge O-Gon Kwon, Presiding
Judge Kimberly Prost
Judge Ole Bjørn Støle

Registrar: Mr Hans Holthuis

Decision: 12 November 2008

PROSECUTOR

v.

**MIĆO STANIŠIĆ
STOJAN ŽUPLJANIN**

PUBLIC

**ORDER SCHEDULING A STATUS CONFERENCE AND
FURTHER APPEARANCE**

The Office of the Prosecutor:

Mr Thomas Hannis

Counsel for the Accused:

Mr Slobodan Zečević and Mr Slobodan Cvijetić for Mićo Stanišić
Mr Tomislav Višnjić and Mr Igor Pantelić for Stojan Župljanin

I, Judge Ole Bjørn Støle, Judge 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”),

NOTING the Order of Trial Chamber II dated 23 June 2008 designating me as the pre-trial Judge in the case of *Prosecutor v Stojan Župljanin* and the Order of Trial Chamber II dated 11 July 2008 designating me as the pre-trial Judge in the case of *Prosecutor v Mićo Stanišić*;

NOTING the “Decision on Prosecution’s Motion for Joinder and for Leave to Consolidate and Amend Indictments” (“Joinder Decision”), issued by Trial Chamber II on 23 September 2008, ordering the joinder of the case of *Prosecutor v Mićo Stanišić* and the case of *Prosecutor v Stojan Župljanin*;

NOTING that the Joinder Decision also granted in part the “Prosecution’s Motion for Joinder and for Leave to Consolidate and Amend Indictments, with Confidential Annexes”, filed by the Office of the Prosecutor (“Prosecution”) on 16 July 2008, finding that some of the amendments proposed by the Prosecution constituted new charges and ordered that pursuant to Rule 50(B) of the Rules Mićo Stanišić and Stojan Župljanin shall be given the opportunity to enter a plea on the new charges in due course in a further appearance;

NOTING that on 29 September 2008 the Prosecution filed a Consolidated Indictment against Mićo Stanišić and Stojan Župljanin as ordered by Trial Chamber II in the Joinder Decision;

CONSIDERING that the Consolidated Indictment includes new charges against Mićo Stanišić and Stojan Župljanin and that in accordance with Rules 50(B) and 62 a further appearance shall be held as soon as practicable to enable them to enter pleas on the new charges;

CONSIDERING further that Rule 65*bis* of the Rules of Procedure and Evidence (“Rules”) requires a Trial Chamber or a Trial Chamber Judge to organise exchanges between the parties within one hundred and twenty days after the last status conference so as to ensure expeditious preparation for trial, to review the status of the case and to allow the accused the opportunity to raise issues in relation thereto;

CONSIDERING that the further appearance of Stojan Župljanin took place on 21 July 2008 and that pursuant to Rule 65*bis* a status conference in his case should take place before or on 19 November 2008;

CONSIDERING, however, that Counsel for Stojan Župljanin has agreed that the status conference is held on 20 November 2008;

NOTING that the Accused Mićo Stanišić is on provisional release in the Republic of Serbia pursuant to Rule 65 of the Rules¹;

CONSIDERING that pursuant to Rule 81*bis* a Judge or a Chamber may order, if consistent with the interests of justice, that proceedings be conducted by way of video-conference link;

CONSIDERING Mićo Stanišić's agreement to enter a plea via video-conference link and that in the present circumstances it is in the interests of justice for the proceedings to be conducted by way of video-conference link;

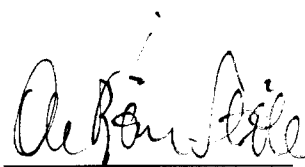
For the foregoing reasons and pursuant to Rules 50(B), 62, 65, 65*ter*, and 81*bis* of the Rules

HEREBY ORDER that

- (A) A status conference and further appearance to enable each of the Accused to enter a plea on the new charges in the Consolidated Indictment, shall be held on Thursday, 20 November 2008 at 1500 hours in a courtroom designated by the Registry;
- (B) The Registry shall make all necessary arrangements to enable the Accused Mićo Stanišić to enter his plea by video-conference link from an appropriate location in Belgrade, Republic of Serbia.

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

Dated this twelfth day of November 2008
At The Hague
The Netherlands


Judge Ole Bjørn Støle
Pre-Trial Judge

[Seal of the Tribunal]

¹ *Prosecutor v Mićo Stanišić*, Case No: IT-04-79-PT, "Order Reinstating Provisional Release", 10 July 2008.