

**UNITED
NATIONS**



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-08-91-PT
Date: 19 August 2009
Original: English

IT-08-91-PT
03235-02223
19 August 2009

3235
JK

IN TRIAL CHAMBER III

Before: Judge Iain Bonomy, Presiding
Judge Ole Bjørn Støle
Judge Frederik Harhoff

Registrar: Mr. John Hocking

Order of: 19 August 2009

PROSECUTOR

v.

MIĆO STANIŠIĆ & STOJAN ŽUPLJANIN

PUBLIC

**ORDER SCHEDULING PRE-TRIAL CONFERENCE AND COMMENCEMENT OF
TRIAL WITH ORDER TERMINATING PROVISIONAL RELEASE**

The Office of the Prosecutor

Mr. Thomas Hannis
Mrs. Joanna Korner

Government of the Republic of Serbia

Government of the Kingdom of the Netherlands

Counsel for the Accused

Mr. Slobodan Zečević and Mr. Slobodan Cvijetić for Mićo Stanišić
Mr. Igor Pantelić and Mr. Dragan Krgović for Stojan Župljanin

TRIAL CHAMBER III (“Trial Chamber”) 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”);

RECALLING that Mićo Stanišić was first granted provisional release on 19 July 2005, on conditions, *inter alia*, that he abide by the orders of the Chamber and return to the Tribunal at such time and on such date as the Chamber may order;¹

RECALLING that Mićo Stanišić has been recalled from provisional release on two occasions, on 11 April 2008, followed by a subsequent order of reinstatement on 10 July 2008,² and on 26 May 2009, also followed by a subsequent order of reinstatement on 12 June 2009;³

RECALLING that the Pre-Trial Conference pursuant to Rule 73 *bis* of the Rules of Procedure and Evidence (“Rules”) has been scheduled for 25 August 2009;⁴

CONSIDERING that, for administrative reasons, it is no longer possible to hold the Pre-Trial Conference on 25 August 2009;

CONSIDERING that it is in the interest of the fair and expeditious conduct of the proceedings to allow for time between the Pre-Trial Conference and the start of trial;

HAVING consulted the Parties;

PURSUANT TO Articles 20 and 29 of the Statute and Rules 54, 65 and 73 *bis* of the Rules;

ORDERS that:

(A) The Pre-Trial Conference shall be held on Friday, 4 September 2009 at 2.15 p.m. in courtroom 1;

(B) The trial shall commence on Monday, 14 September 2009 at 2.15 p.m. in a courtroom to be designated by the Registry;

ORDERS Mićo Stanišić to return to the United Nations Detention Unit by Monday, 31 August 2009, thereby terminating his provisional release;

¹ *Prosecutor v Mićo Stanišić*, Case No. IT-04-79-PT, Decision on Mićo Stanišić’s motion for provisional release, 19 July 2005, pp 8-9.

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.

³ Scheduling order for a status conference and order recalling the Accused from provisional release, 26 May 2009; Order reinstating provisional release, 12 June 2009.

⁴ Order scheduling pre-trial conference, 8 July 2009.

REQUESTS the Government of the Republic of Serbia to ensure that Mićo Stanišić is transported, under guard, from Belgrade, Republic of Serbia to Schiphol Airport or any other airport in the Netherlands and released into the custody of the designated officers of the Government of the Kingdom of the Netherlands;

REQUESTS the Government of the Kingdom of the Netherlands to ensure that Mićo Stanišić is transported, under guard, from Schiphol Airport or any other airport in the Netherlands to the custody of the United Nations Detention Unit; and

ORDERS the Registry to make all necessary arrangements, including to liaise with the Governments of the Kingdom of the Netherlands and of the Republic of Serbia, to enable Mićo Stanišić to return on 31 August 2009.

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



Iain Bonomy
Presiding

Dated this nineteenth day of August 2009

At The Hague

The Netherlands

[Seal of the Tribunal]