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Case Name/ Affaire :	Prosecutor v. J. Stanišić and F. Simatović Prosecutor v. Milan Martić	Case Number/ Affaire n° :	MICT-15-96-PT MICT-14-82
Date Created/ Daté du :	9 December 2016	Date transmitted/ Transmis le :	9 December 2016
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda
Title of Document/ Titre du document :	PROSECUTION RESPONSE TO STANIŠIĆ DEFENCE REQUEST FOR ACCESS TO CONFIDENTIAL MATERIALS IN THE PROSECUTOR V. MARTIĆ CASE		
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NATIONS**



Mechanism for International Criminal Tribunals

Case No: MICT-15-96-PT
MICT-14-82
Date: 9 December 2016
Original: English

IN THE TRIAL CHAMBER

Before: Judge Burton Hall, Presiding
Judge Seon Ki Park
Judge Solomy Balungi Bossa

Registrar: Mr. John Hocking

THE PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**PROSECUTION RESPONSE TO STANIŠIĆ DEFENCE REQUEST
FOR ACCESS TO CONFIDENTIAL MATERIALS IN THE
PROSECUTOR V. MARTIĆ CASE**

The Office of the Prosecutor:
Mr. Douglas Stringer

Counsel for Jovica Stanišić:
Mr. Wayne Jordash QC
Mr. Scott Martin

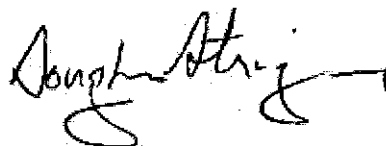
Counsel for Franko Simatović:
Mr. Mihajlo Bakrač
Mr. Vladimir Petrović

Counsel for Milan Martić
Mr. Predrag Milovancević
Mr. Nikola Perović

1. Stanišić was granted access to all confidential transcripts and exhibits in the *Prosecutor v. Martić* case (IT-95-11).¹ The Prosecution notified the *Martić* Appeals Chamber on 28 March 2008 that it had complied with the Access Decision, thereby providing Stanišić access to all confidential transcripts and exhibits in the *Martić* case.²

2. The Prosecution does not oppose Stanišić's recent request for access to confidential *inter partes* filings in the *Martić* case,³ subject to the exclusion of categories of confidential material for which Stanišić does not have a legitimate forensic purpose for access: remuneration, provisional release, fitness to stand trial, Registry submission of expert reports on health issues, notices of non-attendance in court, modalities of trial, protective measures, subpoenas, applications for video-conference links, and orders to redact the public transcript and the public broadcast of a hearing.

3. The Prosecution takes no position on the procedural aspects of Stanišić's request to the Registry that the confidential materials be provided to him through e-court or Livenote. In the original trial, the Chamber considered that for various reasons Stanišić could not be granted access to materials from another case through e-court or Livenote.⁴



Douglas Stringer
Senior Trial Attorney

Dated this 9th day of December 2016
At The Hague, The Netherlands

Word Count: 306

¹ *Prosecutor v. Martić*, Case No. IT-95-11-A, Decision on Motion by Jovica Stanišić for Access to Confidential Testimony and Exhibits in the *Martić* Case Pursuant to Rule 75(G)(i), p.5.

² *Prosecutor v. Milan Martić*, Case No. IT-95-11-A, Prosecution Report Pursuant to the Decision of 22 February 2008 on Stanišić's Motion for Access to Confidential Testimony and Exhibits in the *Martić* Case Pursuant to Rule 75(G)(i), 28 March 2008.

³ Stanišić Defence Request for Access to Confidential Materials in the *Prosecutor v. Martić* Case, 29 November 2016, para.1.

⁴ *Prosecutor v. Stanišić and Simatović*, Case No. IT-03-69-T, Decision on Requests of Jovica Stanišić for Access to Confidential Materials in the *Krajišnik* and the *Simić et al* Cases, 24 March 2011, para.20.