

**UNITED
NATIONS**



Mechanism for International Criminal Tribunals

Case Nos.:	MICT-15-96-PT MICT-14-82
Date:	17 February 2017
Original:	English

IN THE TRIAL CHAMBER

Before: Judge Burton Hall, Presiding
Registrar: Mr. Olufemi Elias
Order of: 17 February 2017

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**ORDER ON PROSECUTION NOTIFICATION IN COMPLIANCE
WITH THE DECISION OF 24 JANUARY 2017**

The Office of the Prosecutor:
Mr. Serge Brammertz
Mr. Douglas Stringer

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

Mr. Milan Martić

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

I, BURTON HALL, Judge of the Trial Chamber of the International Residual Mechanism for Criminal Tribunals (“Mechanism”) and Presiding Judge in this case;¹

RECALLING that, on 24 January 2017, I granted, in part, Jovica Stanišić’s request for access to confidential *inter partes* material in the case of *Prosecutor v. Milan Martić*, Case No. IT-95-11 (“*Martić* case”), and ordered, *inter alia*, the Prosecution to apply for additional protective measures or redactions, if required, following a review of the material to be disclosed to Stanišić;²

NOTING the “Prosecution Notice of Compliance with Decision on Stanišić’s Request for Access to Confidential Materials in the *Martić* case”, filed with confidential and *ex parte* Annexes A and B on 7 February 2017 (“Prosecution Notification”), in which the Prosecution indicates that it has reviewed the relevant confidential *inter partes* material in the *Martić* case and requests the Registry to give Stanišić access to the confidential material listed in Annex A;³

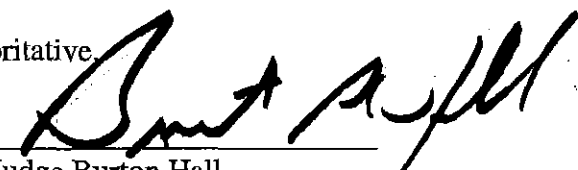
NOTING FURTHER that the Prosecution requests the Trial Chamber to order the Prosecution to redact Rule 76 protected information contained in four confidential filings, as identified in Annex B, before disclosing them to Stanišić;⁴

CONSIDERING that the Prosecution is best placed to identify and carry out the necessary redactions;⁵

HEREBY ORDER the Prosecution to provide the Registry with redacted copies of the four confidential filings as identified in Annex B and **DIRECT** the Registry to provide Stanišić access to the redacted copies provided by the Prosecution in accordance with the Decision of 24 January 2017.

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

Done this 17th day of February 2017,
At The Hague,
The Netherlands.


Judge Burton Hall
Presiding Judge

[Seal of the Mechanism]

¹ Order Assigning Judges to a Case Before a Trial Chamber, 17 December 2015, p. 1. In accordance with Rule 86(K) of the Mechanism’s Rules of Procedure and Evidence (“Rules”), an application to a Chamber to rescind, vary, or augment protective measures in respect of a victim or witness may be dealt with either by the Chamber or by a Judge of that Chamber.

² Decision on Stanišić’s Request for Access to Confidential Materials in the *Martić* Case, 24 January 2017 (“Decision of 24 January 2017”), pp. 1, 3, 4.

³ Prosecution Notification, para. 1.

⁴ Prosecution Revision of its Notice of Compliance with Decision on Stanišić’s Request for Access to Confidential Materials in the *Martić* Case, 16 February 2017, para. 2.

⁵ See *Miroslav Bralo v. The Prosecutor*, Case No. IT-95-17-A, Decision on Motion of Miroslav Bralo for Access to Certified Trial Record, 2 May 2006, p. 5.



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/
FICHE DE TRANSMISSION POUR LE DÉPÔT DE DOCUMENTS DEVANT LE
MÉCANISME POUR LES TRIBUNAUX PÉNAUX INTERNATIONAUX**

I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

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From/ De :	<input checked="" type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Prosecution/ Bureau du Procureur
Case Name/ Affaire :	Prosecutor v. Jovica Stanišić & Franko Simatović	Case Number/ Affaire n° :	MICT-15-96-PT MICT-14-82
Date Created/ Daté du :	17 February 2017	Date transmitted/ Transmis le :	17 February 2017
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser) :
Title of Document/ Titre du document :	ORDER ON PROSECUTION NOTIFICATION IN COMPLIANCE WITH THE DECISION OF 24 JANUARY 2017		
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	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte R86(H) applicant excluded/ Art. 86 H) requérant exclu	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu
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