

IF 95-5/18-PT
D 15547- D 15546
08 MAY 2009

15547
PK

**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-95-5/18-PT

Date: 8 May 2009

Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Patrick Robinson, President

Acting Registrar: Mr. John Hocking

Order of: 8 May 2009

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

ORDER ASSIGNING MOTION TO VICE-PRESIDENT

The Accused

Mr. Radovan Karadžić

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

I, PATRICK ROBINSON, President 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 (“International Tribunal”),

NOTING the “Motion to Disqualify Judge Picard” (“Motion for Disqualification”), filed by Radovan Karadžić (“Karadžić”) on 1 May 2009, in which Karadžić seeks the disqualification of Judge Michèle Picard, pursuant to Rule 15 of the Rules of Procedure and Evidence of the International Tribunal (“Rules”), from all further proceedings in this case;

NOTING the “Report by Presiding Judge to President on Motion to Disqualify Judge Picard” (“Report”), submitted to me by the Presiding Judge of Trial Chamber III (“Presiding Judge”) on 7 May 2009, in which, pursuant to Rule 15(B)(i) of the Rules, after having conferred with Judge Picard, the Presiding Judge provides me with his views regarding the Motion for Disqualification;

CONSIDERING that pursuant to Rule 15(B)(ii) of the Rules, “[f]ollowing the report of the Presiding Judge, the President shall, if necessary, appoint a panel of three Judges drawn from other Chambers to report to him its decision on the merits of the application”;


CONSIDERING that my prior role as presiding Judge of the Pre-Trial Bench in the present case¹ gives rise to a conflict of interest, and that in accordance with Rule 15(A) of the Rules of Procedure and Evidence of the International Tribunal (“Rules of the International Tribunal”), I shall therefore withdraw from considering the Report;

CONSIDERING Rule 21 of the Rules;

HEREBY ASSIGN, with immediate effect, Vice-President Judge O-Gon Kwon to consider the Report in place of myself.

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

Done this 8th day of May 2009,
At The Hague,
The Netherlands.



Judge Patrick Robinson
President

[Seal of the International Tribunal]

¹ *Prosecutor v. Karadžić*, Case No. IT-95-5/18-I, Order on Composition of Pre-Trial Bench, 22 August 2008; *Prosecutor v. Karadžić*, Case No. IT-95-5/18-PT, Order Replacing a Judge in a Case Before a Trial Chamber, 18 November 2008.