



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: 15 September 2009

Original: English

**IN THE TRIAL CHAMBER**

**Before: Judge O-Gon Kwon, Pre-trial Judge**

**Registrar: Mr. John Hocking**

**Order of: 15 September 2009**

**PROSECUTOR**

**v.**

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**ORDER FOR EXPEDITED RESPONSE TO ACCUSED'S APPLICATION FOR  
CERTIFICATION TO APPEAL DECISION ON COMMENCEMENT OF TRIAL**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Accused**

Mr. Radovan Karadžić

I, **O-Gon Kwon**, Judge 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”) being seised of the Accused’s “Application for Certification to Appeal Decision on Commencement of Trial”, filed on 14 September 2009 (“Application”) hereby render this order in relation thereto.

1. In the Application, pursuant to Rule 73(B) of the Tribunal’s Rules of Procedure and Evidence (“Rules”), the Accused seeks certification to appeal the Trial Chamber’s oral decision of 8 September 2009 denying his request for additional time to prepare for trial and ordering that the trial begin on 19 October 2009.<sup>1</sup> Under Rule 73(B), a Trial Chamber may grant certification if the decision “involves an issue that would significantly affect the fair and expeditious conduct of the proceedings or the outcome of the trial, and for which, in the opinion of the Trial Chamber, an immediate resolution by the Appeals Chamber may materially advance the proceedings.”<sup>2</sup> The Accused asserts that “[b]y its very nature, lack of preparation by one party significantly affects the fair and expeditious conduct of the trial, as well as its potential outcome.”<sup>3</sup>

2. In light of the anticipated commencement of trial on 19 October 2009, and to facilitate an expeditious determination of the Application, it is necessary for the Office of the Prosecutor (“Prosecution”) to respond to the Application, if it wishes to do so, within a truncated time period.

3. Accordingly, pursuant to Rules 54, 65 *ter*(B) and 126 *bis* of the Rules, I hereby **ORDER** the Prosecution to file its response to the Application, if any, by 21 September 2009.

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

  
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Judge O-Gon Kwon  
Pre-trial Judge

Dated this fifteenth day of September 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

<sup>1</sup> Application, para. 1.

<sup>2</sup> Rules 73(b)

<sup>3</sup> Application, para. 9.