



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

IT-95-5/18-T
D30032-D30031
17 DECEMBER 2009

30032
PK

Case No.: IT-95-5/18-T

Date: 17 December 2009

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Decision of: 17 December 2009

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON THE ACCUSED'S MOTION FOR LEAVE TO REPLY: MOTION TO
VACATE APPOINTMENT OF RICHARD HARVEY**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Appointed Counsel

Mr. Richard Harvey

THIS 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”),

BEING SEISED OF the Accused’s “Motion for Leave to Reply: Motion to Vacate Appointment of Richard Harvey” filed on 17 December 2009 (“Motion”);

NOTING that, in the Motion, the Accused seeks leave to reply to the “Prosecution Response to Karadžić’s Motion to Vacate Appointment of Richard Harvey” and the “Registrar’s Submission Pursuant to Rule 33(B) Regarding Radovan Karadžić’s Motion to Vacate Appointment of Richard Harvey”, both of which were filed on 14 December 2009 (collectively “Submissions”), in order to address the new facts raised in the Submissions dealing with the criteria used by the Registrar for the appointment of Richard Harvey;¹


CONSIDERING that the Chamber would benefit from hearing from the Accused in reply to the Submissions, but only insofar as the reply addresses new issues arising from those Submissions;

CONSIDERING however, that the Accused’s trial is to resume on 1 March 2010 and that, therefore, the issue of the appointment of Richard Harvey should be resolved as expeditiously as possible, the Chamber is of the view that the time for the Accused’s reply should be expedited;

PURSUANT TO Rules 54 and 126 *bis* of the Tribunal’s Rules of Procedure and Evidence,

HEREBY GRANTS the Accused leave to reply to the Submissions, by 4:00 p.m. on 18 December 2009.

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



Judge O-Gon Kwon
Presiding

Dated this seventeenth day of December 2009
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ Motion, paras. 1–2.