



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-T

Date: 18 January 2010

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: 18 January 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON PROSECUTION REQUEST FOR LEAVE TO REPLY TO KARADŽIĆ'S
PARTIAL RESPONSE TO PROSECUTION'S FOURTH RULE 92 *BIS* MOTION:
SARAJEVO SIEGE (WITNESS JOHN HAMILL)**

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 “Prosecution Request for Leave to Reply to Karadžić’s Partial Response to Prosecution’s Fourth Rule 92 *bis* Motion: Sarajevo Siege (Witness John Hamill)”, filed on 15 January 2010 (“Request”),

NOTING that, in the Request, the Prosecution seeks leave to reply to the Accused’s “Partial Response to Prosecution’s Fourth Rule 92 *bis* Motion: Sarajevo Siege (Witness John Hamill)” filed on 14 January 2010 (“Response”), in order to address the following aspects of the Accused’s Response: (i) the content and characterisation of the “additional facts” set out in the Response; (ii) the references to Adjudicated Facts contained in paragraphs eight and nine of the Response; and (iii) the need for cross-examination.¹

CONSIDERING that the Chamber would benefit from hearing from the Prosecution in reply to the Accused’s Response.

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

HEREBY GRANTS the Prosecution leave to reply to the Accused’s Response.

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



Judge O-Gon Kwon
Presiding Judge

Dated this eighteenth day of January 2010
At The Hague
The Netherlands

[Seal of the Tribunal]

¹ Request, 15 January 2010, para. 2.