



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: 29 November 2010

Original: English

IN THE TRIAL CHAMBER

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

Registrar: Mr. John Hocking

Decision of: 29 November 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON THE ACCUSED'S REQUEST FOR LEAVE TO REPLY: MOTION FOR
BINDING ORDER (UNITED NATIONS)**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

United Nations

Office of Legal Affairs

The Accused

Mr. Radovan Karadžić

Standby 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 “Request for Leave to Reply: Motion for Binding Order: United Nations”, filed on 25 November 2010 (“Request”);

RECALLING that the Chamber is currently also seized of the Accused’s “Motion for Binding Order: United Nations”, filed on 1 November 2010 (“Motion”), whereby the Accused requests the Trial Chamber to issue a binding order pursuant to Article 29 of the Statute of the Tribunal and Rule 54 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”) requiring the United Nations (“UN”) to provide certain documents to him;¹

NOTING that, in the Request, the Accused seeks leave to reply to the UN’s response to the Motion, which was filed on 17 November 2010, and in which the UN argues that the Chamber should not issue the binding order requested in the Motion;²

NOTING that, in the Request, the Accused informs the Chamber that his legal adviser met with representatives of the UN on 23 November 2010, and that some progress was made in relation to the Motion;³

NOTING further that the Accused states in his Request that he would like to apprise the Chamber of the progress made during that meeting and “set forth the remaining issues that need to be resolved by the Chamber in his view”;⁴

CONSIDERING that the Chamber would benefit from hearing from the Accused as regards the latest developments in the dealings between his legal adviser and the UN, which the Chamber is not yet aware of;

PURSUANT TO Rule 54 of the Tribunal’s Rules of Procedure and Evidence,

¹ Motion, para. 1.

² See Correspondence from the United Nations, dated 12 November 2010, filed on 17 November 2010.

³ Request, para. 2.

⁴ Request, para. 3.

HEREBY GRANTS the Accused leave to reply to the Response, by no later than close of business on 1 December 2010.

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



Judge O-Gon Kwon
Presiding

Dated this twenty-ninth day of November 2010
At The Hague
The Netherlands

[Seal of the Tribunal]