



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: 11 June 2014

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: 11 June 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

DECISION ON ACCUSED'S REQUEST FOR STATUS CONFERENCE

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

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”) is seised of the “Request for Status Conference” filed by the Accused on 5 June 2014 (“Request”), and hereby issues its decision thereon.

1. In the Request, the Accused asks that the Chamber convene a status conference on or before 1 July 2014 pursuant to Rule 65 *bis*(A) of the Tribunal’s Rules of Procedure and Evidence (“Rules”).¹ The Accused notes that he last appeared before the Chamber on 3 March 2014 and that, since he is not scheduled to appear again before 29 September 2014, a status conference should be held on or before 1 July 2014, namely within 120 days of his last appearance before the Chamber.²

2. The Office of the Prosecutor (“Prosecution”) filed the “Prosecution Response to the Accused’s Request for Status Conference” on 6 June 2014, not taking a position on the Request but noting nonetheless that Rule 65 *bis*(A) does not appear to apply to this stage of the proceedings.³ The Prosecution further notes that the Request does not refer to any specific issue that would need to be raised orally and that in these circumstances, the Chamber may consider that the resources of the parties and the Chamber would be better spent on tasks other than appearing at a status conference with no clear purpose.⁴

3. The Chamber recalls that Rule 65 *bis*(A) provides:

A Trial Chamber or a Trial Chamber Judge shall convene a status conference within one hundred and twenty days of the initial appearance of the accused and thereafter within one hundred and twenty days after the last status conference:

(i) to organize exchanges between the parties so as to ensure expeditious preparation for trial;

(ii) to review the status of his or her case and to allow the accused the opportunity to raise issues in relation thereto, including the mental and physical condition of the accused.

4. The Chamber first notes that it is clear from its formulation and its location in the Rules that Rule 65 *bis*(A) purports to apply to the pre-trial stage of the proceedings and that this has been confirmed by the consistent practice of other Chambers which have not convened status

¹ Request, para. 1.

² Request, paras. 2–3.

³ Response, para. 2.

⁴ Response, paras. 3–5.

conferences after the start of trial, including during periods in which the accused person has not appeared before those Chambers for more than 120 days.⁵

5. Furthermore, the Request does not identify any specific issue that may need to be addressed orally during a status conference and which cannot be raised by way of written filing.

6. Accordingly, pursuant to Rule 54 of the Rules, the Chamber **DENIES** the Request.

Done in English and French, the English text being authoritative



Judge O-Gon Kwon
Presiding

Dated this eleventh day of June 2014
At The Hague
The Netherlands

[Seal of the Tribunal]

⁵ See for instance *Prosecutor v. Prlić et al.*, Judgement, 29 May 2013, Volume 5, para. 35; *Prosecutor v. Perišić*, Judgement, 6 September 2011, Annex A, paras. 15–16; *Prosecutor v. Popović et al.*, Judgement, 10 June 2010, Annex 2, para. 10.