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| Case No.: IT-95-5/18-T |
| Date: 17 December 2009 |
| Original: English |
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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.