



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***

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**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)**

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**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.<sup>1</sup>

**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.

  
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Judge O-Gon Kwon  
Presiding Judge

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

**[Seal of the Tribunal]**

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<sup>1</sup> Request, 15 January 2010, para. 2.