



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: 13 October 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

Order of: 13 October 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**SCHEDULING ORDER RELATING TO RULE 54 *BIS* HEARING
(BOSNIA AND HERZEGOVINA)**

Office of the Prosecutor:

Mr. Alan Tieger
Ms Hildegard Uertz-Retzlaff

The Government of Bosnia and Herzegovina

via Embassy of Bosnia and Herzegovina
to The Netherlands

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 Binding Order: Government of Bosnia”, filed on 31 August 2009 (“Motion”), requesting under Article 29 of the Statute of the Tribunal (“Statute”) and Rule 54 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”) that the Chamber order Bosnia and Herzegovina (“BiH”) to provide him with a number of documents he claims to be relevant to his case;¹

NOTING all the filings in relation to the Motion which have been submitted by the Accused and BiH;

NOTING the “Order Scheduling a Hearing Pursuant to Rule 54 *bis* (Bosnia and Herzegovina)” issued by the Chamber on 7 September 2010 (“First Order”), scheduling a Rule 54 *bis* hearing in relation to the Motion (“Hearing”) and inviting BiH to file its notice of objection pursuant to Rule 54 *bis* (F), if any, not less than five days before the Hearing;

NOTING the “Order to Bosnia and Herzegovina in Preparation for the Hearing Pursuant to Rule 54 *bis*” issued by the Chamber on 6 October 2010 (“Second Order”), inviting BiH to file its notice of objection, if any, by Monday, 11 October 2010, at the latest, together with the name and the capacity of the designated BiH official(s) who will attend the Hearing;

NOTING that, on 12 October 2010, BiH informed the Chamber that the Hearing would be attended by its Ambassador to The Netherlands, H.E. Mrs. Miranda Sidran Kamišalić;²

CONSIDERING that, in both the First and the Second Order, the Trial Chamber indicated that a detailed schedule of the order of presentation of arguments would be issued following the filing of notice of objection, if any;³

CONSIDERING the responsibility of BiH to co-operate with the Tribunal pursuant to Article 29 of the Statute;

PURSUANT TO Article 29 of the Statute and Rules 54 and 54 *bis* (D) of the Rules;

¹ Motion, para. 1.

HEREBY ORDERS as follows:

- (1) The Hearing shall be conducted in accordance with the schedule set out in Annex A hereto.
- (2) In order to facilitate the smooth and prompt start of the Hearing at 10:00 a.m., H.E. Mrs. Miranda Sidran Kamišalić should present herself at the Tribunal at least half an hour before the start of the Hearing.
- (3) During the Hearing, the Accused and H.E. Mrs. Miranda Sidran Kamišalić should not repeat all of the arguments already raised in the filings but should instead focus on the contentious issues and any questions put to them by the Chamber.
- (4) The Chamber has invited the Prosecution to attend the hearing. Should BiH have an objection to the Prosecution's attendance, H.E. Mrs. Miranda Sidran Kamišalić may raise such objection at the commencement of the Hearing, or may request that the Prosecution be excluded for a particular part of the Hearing, should that be necessary.

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



Judge O-Gon Kwon, Presiding

Dated this thirteenth day of October 2010
At The Hague
The Netherlands

[Seal of the Tribunal]

² Correspondence from BiH, 12 October 2010.

³ First Order, p. 4; Second Order, p. 2.

ANNEX A

Friday 15 October 2010

1. Introductory remarks by the Chamber
2. Chamber questions for the Accused
3. Chamber questions for BiH
4. Further discussion (if necessary)

The above schedule is for guidance only and is subject to change at the direction of the Trial Chamber. All participants should be ready to address the Chamber at any point in time during the Hearing. Furthermore, they shall address all oral submissions through the Chamber.