

IT-95-5/18-T
D 88396 - D 88394
18 SEPTEMBER 2014

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UNITED
NATIONS



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 September 2014

Original: English

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. John Hocking

Order of: 18 September 2014

PROSECUTOR

v.

RADOVAN KARADŽIĆ

CONFIDENTIAL AND EX PARTE

**ORDER ON URGENT MOTION FOR STAY OF
REGISTRAR'S DECISION**

The Accused

Mr. Radovan Karadžić

I, THEODOR MERON, President 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");

NOTING the confidential and *ex parte* "Request for Review of Registrar's Decision and Urgent Motion to Stay" filed by Mr. Radovan Karadžić ("Karadžić") on 8 August 2014 ("Request for Review"), by which Karadžić requested Trial Chamber III of the Tribunal ("Trial Chamber") to stay, review and quash the decision of the Registrar of the Tribunal dated 4 August 2014, that terminated funding to Karadžić's defence team as of 9 August 2014;¹

NOTING the confidential and *ex parte* "Order Regarding Accused's Request for Review of Registrar's Decision and Urgent Motion for Stay" issued by the Trial Chamber on 11 August 2014 ("Order for Stay"), staying the Impugned Decision until the Trial Chamber issued a decision on the Request for Review;²

NOTING the confidential and *ex parte* "Decision on Request for Review of Registrar's Decision" issued by the Trial Chamber on 5 September 2014 ("Decision on Request for Review"), in which the Trial Chamber (i) determined that it lacks jurisdiction over the Request for Review; (ii) rescinded the Order for Stay; and (iii) requested that the Registrar refer the Request for Review to me, as the President of the Tribunal;³

NOTING the confidential and *ex parte* "Registrar's Submission Pursuant to Rule 33(B) Referring Mr. Radovan Karadžić's Request for Review of Registrar's Decision to the President" filed by the Deputy Registrar of the Tribunal on 8 September 2014, which referred the Request for Review to me;

BEING SEISED OF the confidential and *ex parte* "Urgent Motion for Stay of Registrar's Implementation Decision and Reply to Registrar's Submission" filed by Karadžić on 8 September 2014 ("Motion"), wherein Karadžić requests that I, *inter alia*, stay the Impugned Decision pending my decision on the Request for Review;⁴

¹ Request for Review, para. 21 and confidential and *ex parte* Annex B (Letter from Ms. Susan Stuart, Head of Office for Legal Aid and Defence Matters, to Mr. Radovan Karadžić, dated 4 August 2014 ("Impugned Decision")).

² Order for Stay, p. 3.

³ Decision on Request for Review, paras 17-19.

⁴ Motion, paras 14-18.

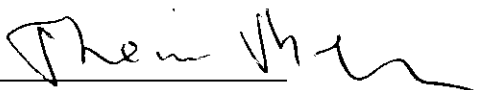
NOTING the confidential and *ex parte* "Registrar's Submission Opposing Accused's Urgent Motion for Stay and Reply", filed by the Deputy Registrar on 12 September 2014 ("Registrar's Submission"), in which the Deputy Registrar, *inter alia*, requests me to dismiss Karadžić's request for a stay;⁵

CONSIDERING that it is in the interests of justice that the Impugned Decision be stayed and that the Tribunal continue to provide legal aid to Karadžić's defence team, until I reach a final determination on the Request for Review;

HEREBY GRANT the Motion and **ORDER** that (i) the Impugned Decision be stayed and (ii) the Registry continue to provide legal aid to Karadžić's defence team until I issue a decision on the Request for Review.

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

Done this 18th day of September 2014,
At The Hague,
The Netherlands.


Judge Theodor Meron
President

[Seal of the Tribunal]

⁵ Registrar's Submission, para. 7.