

**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-PT

Date: 30 January 2009

IN TRIAL CHAMBER III

Before:

Judge Iain Bonomy, Presiding
Judge Christoph Flüge
Judge Michèle Picard

Acting Registrar:

Mr. John Hocking

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**PROSECUTION REQUEST FOR LEAVE TO REPLY TO THE
“RESPONSE TO MOTION TO AMEND INDICTMENT”**

The Office of the Prosecutor:

Mr. Alan Tieger
Mr. Mark B. Harmon
Ms. Hildegard Uertz-Retzlaff

The Accused:

Mr. Radovan Karadžić

**THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA**

Case No. IT-95-5/18-PT

THE PROSECUTOR

v.

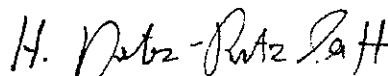
RADOVAN KARADŽIĆ

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**PROSECUTION REQUEST FOR LEAVE TO REPLY TO THE “RESPONSE TO
MOTION TO AMEND INDICTMENT”**

1. In accordance with Rule 126 *bis* of the Rules of Procedure and Evidence (“Rules”), the Prosecution requests the leave of the Trial Chamber to file a reply to the Accused Radovan Karadžić’s (“Accused”) “Response to Motion to Amend Indictment” (“Response”) of 28 January 2009. In his Response, the Accused requests the Trial Chamber to order the Prosecution to limit its case to “one of the four components of the proposed amended indictment.”¹ The Prosecution seeks to demonstrate that: 1) in making his request, the Accused has not shown that he would be unfairly prejudiced by the actual amendments proposed by the Prosecution, and 2) Rule 50 of the Rules should not be used as a mechanism to order reductions in the scope of an indictment.
2. Should the Trial Chamber grant the Prosecution’s request for leave to file a reply, in accordance with Rule 126 *bis* of the Rules, the reply will be filed no later than 4 February 2009.

Word Count: 164



Hildegard Uertz-Retzlaff
Senior Trial Attorney

Dated this 30th day of January 2009
At The Hague, The Netherlands

¹ Response, para. 24.