



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 February 2010
Original: English

IN TRIAL CHAMBER III

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Order of: 18 February 2010

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

SCHEDULING ORDER

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”),

proprio motu;

NOTING that on 5 November 2009, the trial proceedings in the present case were adjourned until 1 March 2010, to allow counsel appointed by the Registrar to represent the interests of the Accused, should that become necessary, time to prepare;¹

NOTING that at a Status Conference held on 28 January 2010, the Accused confirmed that he would give his opening statement, over a period of six hours, upon the resumption of the trial on 1 March 2010, if the Trial Chamber were to decide that the trial should resume as planned on that date;²

NOTING that on 1 February 2010, the Accused filed a “Motion for Postponement of Trial”, arguing that he has been prevented from preparing for and participating in his trial by two decisions of the Registrar: the first concerning the appointment of Mr. Richard Harvey pursuant to the Chamber’s Decision of 5 November 2009; and the second concerning remuneration for his defence team;

NOTING that the Appeals Chamber has since affirmed the Registrar’s decision to appoint Mr. Harvey, and that the matter concerning defence remuneration remains pending before the President of the Tribunal;³

CONSIDERING that the Chamber has ordered the Accused to make further submissions in relation to his Motion for Postponement of Trial within three days of the President’s decision on defence remuneration and that it is, therefore, unlikely for the Chamber to be in a position to determine that Motion until very shortly before 1 March 2010;⁴

CONSIDERING FURTHER that the Accused would not be prejudiced in any way by giving his opening statement on 1 and 2 March 2010, even if the hearing of evidence were to be further delayed, and that he may, if he wishes, request to supplement his opening statement at a later stage of the proceedings, namely prior to the presentation of his defence case;

¹ Decision on Appointment of Counsel and Order on Further Trial Proceedings, 5 November 2009 (“Decision of 5 November 2009”).

² Status Conference, T. 737 (28 January 2010).

³ Decision on Radovan Karadžić’s Appeal from Decision on Motion to Vacate Appointment of Richard Harvey, 12 February 2010; Request for Review of OLAD Decision on Trial Phase Remuneration, 14 January 2010.

⁴ Order Setting Deadlines for Further Submissions, 3 February 2010.

CONSIDERING that it is in the interests of justice, and of clarity, for the Chamber to set a date for the hearing of the Accused's opening statement, irrespective of its determination of the Motion for Postponement of Trial;

PURSUANT TO Rule 54 of the Tribunal's Rules of Procedure and Evidence;

HEREBY ORDERS that there will be trial hearings on 1 March 2010, at 9:00 a.m., in Courtroom 1, and continuing at the same time on 2 March 2010, if necessary, for the purposes of hearing the Accused's opening statement.

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



Judge O-Gon Kwon
Presiding

Done this eighteenth day of February 2010
At The Hague
The Netherlands

[Seal of the Tribunal]