



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: 25 August 2009  
Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Christoph Flügge  
Judge Michèle Picard

**Registrar:** Mr. John Hocking

**Decision of:** 25 August 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**DECISION ON REQUEST FROM THE GOVERNMENT OF MALAYSIA**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of Malaysia**

via Embassy of Malaysia  
to The Netherlands, The Hague

**The Accused**

Mr. Radovan Karadžić

**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”) is seised of the request from the Government of Malaysia (“Malaysian Government”) of 21 August 2009 (“Request”), and hereby renders its decision thereon.

1. The Trial Chamber is currently seised of the “Motion for Binding Order: Government of Malaysia” filed by the Accused on 3 August 2009 (“Motion”). In the Motion, the Accused has acknowledged that the Malaysian Government should be given the opportunity to be heard on the matter before a binding order is issued.<sup>1</sup>
2. On 10 August 2009, in order to obtain some assistance in deciding the Accused’s Request, the Trial Chamber invited the Malaysian Government to respond to the Motion by no later than 24 August 2009.<sup>2</sup>
3. On 21 August 2009, the Malaysian Government filed the present Request noting that they have initiated a search for the documents requested by the Accused. Due to the nature of the documents requested and the administrative process it is required to follow, the Malaysian Government has requested a six week extension to reply to the Tribunal’s invitation.<sup>3</sup>
4. The Trial Chamber considers that it is in the interests of all parties involved that requests for documents are, if possible, dealt with on a voluntary basis. It is equally important that these requests are dealt with expeditiously. With a view to achieving these objectives, the Trial Chamber considers it appropriate to grant a reasonable extension of time to the Malaysian Government to respond to the Motion in hope that the documents sought can be identified and provided to the Accused within a reasonable time and without further intervention by the Chamber. With regards to a reasonable extension of time, it is the Trial Chamber’s view that a reasonable extension would be four, rather than six, weeks.

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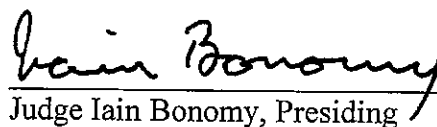
<sup>1</sup> Motion, para. 23.

<sup>2</sup> Invitation to the Government of Malaysia, 10 August 2009.

<sup>3</sup> Request, para. 3.

5. For the reasons outlined above, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the Request and: (i) **INVITES** the Malaysian Government to assist the Trial Chamber by providing a response to the Motion by close of business on 25 September 2009, and (ii) **REQUESTS** the Registry to provide this Decision to the Malaysian Government.

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

  
Judge Iain Bonomy, Presiding

Dated this twenty-fifth day of August 2009  
At The Hague  
The Netherlands

[Seal of the Tribunal]