



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: 23 September 2009

Original: English

**IN THE TRIAL CHAMBER**

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

**Registrar:** Mr. John Hocking

**Order of:** 23 September 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

**SECOND INVITATION TO THE ISLAMIC REPUBLIC OF PAKISTAN**

**Office of the Prosecutor**

Mr. Alan Tieger  
Ms Hildegard Uertz-Retzlaff

**The Government of Pakistan**

via the Embassy of Pakistan 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”),

**BEING SEISED OF** the Accused’s “Motion for Binding Order: Government of Pakistan”, filed publicly on 10 August 2009 (“Motion”), whereby the Accused requests the Trial Chamber to issue a binding order pursuant to Rule 54 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”) requiring the Government of Pakistan to produce a number of documents;<sup>1</sup>

**NOTING** that, on 11 August 2009, the Chamber invited the Government of Pakistan to respond to the Motion by 25 August 2009;<sup>2</sup>

**NOTING FURTHER** that, on 2 September 2009, seven days after the expiration of its deadline, the Government of Pakistan responded to the Chamber’s invitation stating that a “process of sifting of the archives has been initiated to find out whether any of the documents requested exist,” and stating that the results of the search will be shared with the Tribunal “in due course”;<sup>3</sup>

**CONSIDERING** that this response is terse and that it does not provide any indication as to the time in which the search will be completed and the documents, if any, delivered to the Accused;

**CONSIDERING** that the Accused’s trial is due to start on 19 October 2009, and that the materials sought by the Accused in the Motion may have some bearing on the Accused’s defence case;

**CONSIDERING** that the completion of the work of the Tribunal within a reasonable time is a matter of great importance which requires that all Governments should take urgent steps to comply with their duty to co-operate with the Tribunal in its work, including with the defence and the self-represented accused who are investigating issues relevant to their cases;

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

<sup>2</sup> Invitation to the Islamic Republic of Pakistan, 11 August 2009.


<sup>3</sup> Response of the Islamic Republic of Pakistan, 2 September 2009.

**PURSUANT TO** Rule 54 of the Rules,

**HEREBY:**

- (a) **INVITES** the Government of Pakistan to, by no later than **7 October 2009**, (i) complete its search for the requested documents and, if any are found, deliver them to the Accused; or (ii) submit a detailed report to the Chamber on the progress of the search by its authorities; and
- (b) **REQUESTS** the Registry to provide this Second Invitation to the Government of Pakistan.

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

  
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Judge O-Gon Kwon, Presiding

Dated this twenty-third day of September 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**