

**UNITED  
NATIONS**

1F-95-5/18-PT 25344  
D 25344 - D 25342 PK  
07 OCTOBER 2009



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: 7 October 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:** 7 October 2009

**THE PROSECUTOR**

**v.**

**RADOVAN KARADŽIĆ**

***PUBLIC***

**SECOND INVITATION TO THE KINGDOM OF NORWAY**

**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of the Kingdom of Norway**

via the Embassy of Norway 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 “Request for Second Invitation to Government of Norway”, filed publicly on 28 September 2009 (“Request”), in which he seeks certain documents from the Government of the Kingdom of Norway (“Government of Norway”), and asks that the Trial Chamber invite the Government of Norway to produce those documents;<sup>1</sup>

**NOTING** that the Chamber is currently seized of the Accused’s “Motion for Binding Order: Government of Norway”, filed publicly on 8 July 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 Norway to produce a number of documents;<sup>2</sup>

**NOTING** that, on 9 July 2009, the Chamber invited the Government of Norway to respond to the Motion by 23 July 2009,<sup>3</sup> and that, having been given an extension of time to respond,<sup>4</sup> the Government of Norway submitted a response to the Chamber on 2 September 2009 indicating that it had forwarded the relevant documents directly to the Accused;<sup>5</sup>

**NOTING** that the Accused in his Request asserts that the documents forwarded to him by the Government of Norway are *compilations* of information that was recorded contemporaneously by the Norwegian Battalion operating in Bosnia and Herzegovina in 1995;<sup>6</sup>

**NOTING** further that the Accused wants to be given access to the contemporaneous records contained in the operations logs of the Norwegian Battalion and has, for that reason, filed the present Request;<sup>7</sup>

**CONSIDERING** that, in order to determine both the Motion and the Request, the Chamber would be assisted by hearing from the Government of Norway;

**HEREBY:**

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

<sup>2</sup> Motion, para. 1.

<sup>3</sup> Invitation to the Kingdom of Norway, 9 July 2009.

<sup>4</sup> Decision on Requests from the Kingdoms of Norway and Belgium, 24 July 2009.

<sup>5</sup> Correspondence from Norway, 2 September 2009.

<sup>6</sup> Request, paras. 6–8.

<sup>7</sup> Request, para. 9.

- (a) **INVITES** the Government of Norway to assist the Trial Chamber by providing a response to the Request by close of business on **21 October 2009**; and
- (b) **REQUESTS** the Registry to provide both the Request and this Second Invitation to the Government of Norway.

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

  
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Judge O-Gon Kwon, Presiding

Done this seventh day of October 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**