



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: 02 November 2009  
Original: English

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**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:** 02 November 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**SECOND INVITATION TO THE  
THE KINGDOM OF THE NETHERLANDS**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of the Netherlands**

via Ministry of Foreign Affairs  
Ambassador for International Organisations

**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 Accused’s “Motion for Binding Order: Government of the Netherlands”, filed publicly on 11 September 2009 (“Motion”), and hereby issues this Order in relation thereto.

1. In the Motion, the Accused requests the Trial Chamber to issue a binding order pursuant to Rule 54 *bis* of the Rules requiring the Government of the Kingdom of the Netherlands (“Dutch Government”) to produce a number of documents.<sup>1</sup> Following an invitation issued on 15 September 2009 by this Trial Chamber to the Dutch Government to assist the Chamber in providing a response to the Motion,<sup>2</sup> the Dutch Government filed its response on 29 September 2009, in which it noted that it was willing to provide some of the requested documents to the Accused and stated, with regard to other categories of documents, that:

As agreed with the legal advisor of the Accused in August, upon reviewing the documents specifically identified in the Request and provided to the Accused, the Accused will reconsider whether he maintains his Request also in respect of the categories of documents mentioned in the Request. If requested to search for such categories, the Netherlands will do so urgently. In light of the foregoing, the Government of the Netherlands requests that in order to respond to the Motion, if maintained, it be granted an extension of six weeks.<sup>3</sup>

2. On 30 September 2009, the Accused filed a further motion for an order pursuant to Rule 70 of the Tribunal’s Rules of Procedure and Evidence (“Rules”) to apply to some of the documents provided to him by the Dutch Government. In that motion the Accused noted that the Dutch Government had not agreed to provide all the documents requested by him, and stated that he would not withdraw his original Motion for a binding order.

3. Having received no further indication from the Accused, and in light of the fact that it is in the interests of all parties involved that requests for documents are, if possible, dealt with on a voluntary basis, the Chamber considers that a further extension of time should be granted to the Dutch Government to respond to the Motion.

4. For these reasons, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the extension of time requested by the Dutch Government, **INVITES** the Dutch Government to

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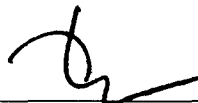
<sup>1</sup> Motion, para. 1.

<sup>2</sup> Invitation to the Government of the Netherlands, 11 August 2009, para. 5.

<sup>3</sup> Letter from the Government of the Kingdom of the Netherlands to the Tribunal, 29 September 2009.

assist the Trial Chamber by providing a response to the Motion no later than 10 November 2009, and **REQUESTS** the Registry to provide this Order to the Dutch Government.

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



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Judge O-Gon Kwon, Presiding

Dated this second day of November 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**