

**UNITED
NATIONS**



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: 20 August 2010
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: 20 August 2010

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

INVITATION TO THE KINGDOM OF BELGIUM

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Government of the Kingdom of Belgium

via the Embassy of the Kingdom of Belgium to
The Netherlands, The Hague

The Accused

Mr. Radovan Karadžić

Standby 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”),

BEING SEISED of the Accused’s “Motion for Binding Order: Government of Belgium”, filed on 17 August 2010 (“Motion”), whereby the Accused requests the Trial Chamber to issue a binding order pursuant to Article 29 of the Statute of the Tribunal and Rule 54 *bis* of the Rules of Procedure and Evidence of the Tribunal (“Rules”) requiring the Kingdom of Belgium (“Belgium”) to provide certain documents to him;¹

NOTING that in the Motion the Accused indicates that he first contacted Belgium in relation to these documents on 10 August 2010 and that, on 11 August 2010, he received a response indicating that Belgium could only execute a request for assistance if it came from the Office of the Prosecutor or if transmitted by the Registrar of the Tribunal, pursuant to a “decision rendered by the Tribunal”;²

NOTING further that the Accused submits that justice would be better served by giving Belgium the opportunity to be heard before the Motion is decided, and that he requests that the Chamber issue an invitation to Belgium to respond to the Motion;³

CONSIDERING further that, in order to determine the Motion, the Trial Chamber would be assisted by hearing from Belgium;

PURSUANT TO Rule 54 of the Rules,

HEREBY:

- (a) **INVITES** Belgium to assist the Trial Chamber either by co-operating with the Accused and providing him the documents identified in the Motion, or by filing a response to the Motion within 14 days of this Invitation, by close of business on **3 September 2010**; and

¹ Motion, para. 1.

² Motion, para. 9, Annexes C and D.

³ Motion, para. 20.

(b) **REQUESTS** the Registry to provide both the Motion and this Invitation to Belgium.

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



Judge O-Gon Kwon
Presiding

Done this twentieth day of August 2010
At The Hague
The Netherlands

[Seal of the Tribunal]