

**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: 3 September 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: 3 September 2010

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

INVITATION TO THE KINGDOM OF DENMARK

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Government of the Kingdom of Denmark

via the Embassy of the Kingdom of Denmark 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 “Second Motion for Binding Order: Government of Denmark”, filed on 2 September 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 Denmark (“Denmark”) to provide certain documents to him;¹

NOTING that in the Motion the Accused indicates that he had previously filed a similar motion in relation to Denmark in which he requested, *inter alia*, documents relating to the shelling of Markale market in Sarajevo,² but that he withdrew this motion once Denmark responded that it was unable to locate any of the documents requested;³

NOTING further the Accused’s submission that, on 31 August 2010, a Danish newspaper reported that it had uncovered documents in the archives of the Danish Government which go to the issue of the shelling of Markale market in Sarajevo, thereby implying that Denmark’s earlier representations to the Chamber and the Accused were not correct;⁴

CONSIDERING that, in order to determine the Motion and the Accused’s requests contained therein, the Trial Chamber would be assisted by hearing from Denmark;

PURSUANT TO Rule 54 of the Rules,

HEREBY:

- (a) **INVITES** Denmark to assist the Trial Chamber either by co-operating with the Accused and providing him with 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 **17 September 2010**; and

¹ Motion, para. 1.

² See Motion for Binding Order: Government of Denmark, 2 September 2010.

³ Motion, paras. 2–8.

⁴ Motion, paras. 9–10; Annex A.

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

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



Judge O-Gon Kwon
Presiding

Done this third day of September 2010
At The Hague
The Netherlands

[Seal of the Tribunal]