



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: 8 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: 8 September 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

INVITATION TO FRANCE

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Accused

Mr. Radovan Karadžić

Government of France

via Embassy of France to the
Netherlands, The Hague

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”);

proprio motu,

RECALLING the “Decision on the Accused’s Binding Order Motion (the French Republic)”, issued on 30 June 2010 (“Decision”), in which this Trial Chamber ordered the French Republic (“France”), pursuant to Rules 54 and 54 *bis* of the Tribunal’s Rules of Procedure and Evidence (“Rules”), to produce to the Accused documents going to two shelling incidents charged in the Third Amended Indictment (relating to the shelling of Markale market in Sarajevo), as well as documents which tend to indicate that Bosnian Muslims in Sarajevo killed their own people between April 1992 and December 1995;¹

NOTING that, as a result of the Decision, on 29 July 2010, France filed confidentially a number of documents which were then handed over to the Accused;²

NOTING that, on 10 August 2010, the Accused sent a letter to France, expressing dismay at the documents delivered since, according to him, they “have nothing to do with documents [France] was ordered to produce” and inquiring whether he could expect any further documents;³

NOTING that on 3 September 2010, during a status conference, the Chamber was informed in private session that the Accused has not yet received a response from France;⁴

CONSIDERING that there is no indication in France’s correspondence of 29 July 2010 of whether more documents will be provided to the Accused in accordance with the Chamber’s Decision;

CONSIDERING further that almost a month has passed since the Accused sent his letter to France;

PURSUANT TO Rule 54 of the Rules,

¹ Decision, paras. 1, 29.

² Confidential Correspondence from France, 29 July 2010.

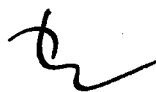
³ Letter to Government of France, 10 August 2010, p. 2.

⁴ Status Conference, T. 6137 (line 15) – T. 6138 (line 8) (3 September 2010).

HEREBY:

- a. **INVITES** France to provide its response to the Accused's letter of 10 August 2010 by close of business on **22 September 2010**, indicating (1) how the documents already provided to the Accused relate to the categories of documents that were the subject of the Decision, and (2) whether it is continuing to search for documents in its possession which relate to the Decision; and
- b. **INSTRUCTS** the Registry to provide this Invitation, as well as the confidential portion of the transcript referred to in footnote 4 above, to France.

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



Judge O-Gon Kwon, Presiding

Dated this eighth day of September 2010
At The Hague
The Netherlands

[Seal of the Tribunal]