



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: 12 November 2010

Original: English

IN THE TRIAL CHAMBER

Before: Judge O-Gon Kwon, Presiding Judge
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Decision of: 12 November 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**DECISION ON REQUEST FROM THE GENERAL SECRETARIAT OF THE COUNCIL
OF THE EUROPEAN UNION**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

**General Secretariat of the Council of the
European Union**

Mr. Pierre de Boissieu

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”) is seised of a request from the General Secretariat of the Council of the European Union (“EU”), filed confidentially on 11 November 2010 (“Request”), and hereby renders its decision thereon.

1. The Trial Chamber is currently seised of the “Motion for Binding Order: European Union”, filed by the Accused on 19 October 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 European Union to provide certain documents to him.¹

2. On 27 October 2010, the Chamber issued an Invitation to the European Union (“Invitation”), in which it invited the EU to assist the Trial Chamber by filing a response to the Motion by close of business on 10 November 2010.²

3. On 11 November 2010, the EU filed the present Request asking that 15 additional days be granted to it, in order to “further examine the matter and, where appropriate, to convey possible observations to the Trial Chamber.”³

4. The Trial Chamber considers that it is in the interests of all parties involved that requests for documents are, if possible, dealt with on a voluntary basis. It is equally important that these requests are dealt with expeditiously. With a view to achieving these objectives, the Trial Chamber considers it appropriate to grant the extension of time sought by the EU to respond to the Motion in the hope that the documents sought can be identified and provided to the Accused without further intervention by the Chamber.

5. For the reasons outlined above, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the Request and:

- (i) **INVITES** the EU to assist the Trial Chamber by providing a response to the Motion by close of business on 29 November 2010, and

¹ Motion, para. 1.

² Invitation to the European Union, 27 October 2010.

³ Request, 11 November 2010.

(ii) **REQUESTS** the Registry to provide this Decision to the EU.

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



Judge O-Gon Kwon
Presiding

Dated this twelfth day of November 2010
At The Hague
The Netherlands

[Seal of the Tribunal]