



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: 16 December 2010  
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:** 16 December 2010

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**INVITATION TO THE ISLAMIC REPUBLIC OF IRAN**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of Iran**

via the Embassy of the Islamic  
Republic of Iran 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 Iran”, filed on 7 December 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 Islamic Republic of Iran (“Iran”) to produce documents pertaining to the shipment of arms in 1995 from Iran to the Bosnian Muslims *via* the Republic of Croatia (“Croatia”);<sup>1</sup>

**NOTING** that, in the Motion, the Accused indicates that the Chamber denied his 26 August 2009 “Motion for Binding Order: Iran”, holding that the request for documents pertaining to the shipment of arms to Croatia between 1 April 1992 and 31 December 1995 was too broad and of questionable relevance;<sup>2</sup>

**NOTING** the Accused’s submission that he has now narrowed down his request and has identified a particular series of transactions involving the shipment of arms from Iran to Croatia in 1995, which he alleges were later delivered to the Bosnian Muslims;<sup>3</sup>

**NOTING** that, on 2 November 2010, the Accused requested documents relating to those transactions from Iran, but has received no response;<sup>4</sup>

**CONSIDERING** that it is in the interests of all parties involved that requests for documents are, if possible, dealt with on a voluntary basis;

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

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<sup>1</sup> Motion, para. 2.

<sup>2</sup> Motion, para. 1. *See* Decision on the Accused’s Motion for Binding Order (The Islamic Republic of Iran), 9 June 2010, paras. 20-24.

<sup>3</sup> Motion, paras. 2-5.

<sup>4</sup> The Accused sent a letter to Iran on 2 November 2010 requesting two documents: (i) contract dated 3 December 1994 between the Ministry of Defence and Armed Forces Support and Matimco Sprl of Belgium for ammunition to be delivered to Croatia, and (ii) all records of the three shipments made pursuant to this particular contract between December 1994 and April 1995. *See* Motion, paras. 5-6, Annex A.

**PURSUANT TO** Rule 54 of the Rules,

**HEREBY:**

- (a) **INVITES** Iran to assist the Trial Chamber by filing a response to the Motion by close of business on **7 January 2011**;
- (b) **REQUESTS** the Registry to provide the Motion and this Invitation to Iran.

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



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Judge O-Gon Kwon  
Presiding

Done this sixteenth day of December 2010  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**