



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: 13 January 2011

Original: English

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**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

**Order of:** 13 January 2011

**PROSECUTOR**

**v.**

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**INVITATION TO THE GOVERNMENT OF BOSNIA AND HERZEGOVINA**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of Bosnia and Herzegovina**

via the Embassy of Bosnia and Herzegovina  
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 Bosnia”, filed on 11 January 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 Government of Bosnia and Herzegovina (“BiH”) to provide a number of materials to him;<sup>1</sup>

**NOTING** that, in his Motion, the Accused indicates that, on 9 December 2010 he requested the said materials from BiH, but that, on 6 January 2011, BiH responded that “the authorities of Bosnia and Herzegovina can comply with the Accused’s Defence after the Trial Chamber renders a decision that it is necessary to obtain this evidence or issues a permission to conduct these actions”;<sup>2</sup>

**NOTING** further that the Accused submits that justice would better be served by giving BiH the opportunity to be heard before the Motion is decided;<sup>3</sup>

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

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

**HEREBY:**

- (a) **INVITES** BiH to assist the Trial Chamber by filing a response to the Motion within 14 days of this Invitation, by close of business on **27 January 2011**; and

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<sup>1</sup> Motion, para. 1, Annex A.

<sup>2</sup> Motion, para. 5, Annex B; Reply from State (Bosnia), filed on 6 January 2011 (“Reply”).

<sup>3</sup> Motion, para. 18.

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

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



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Judge O-Gon Kwon  
Presiding

Dated this thirteenth of January 2011  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**