



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: 25 November 2011
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: 25 November 2011

PROSECUTOR

v.

RADOVAN KARADŽIĆ

Public

**DECISION ON REQUEST FROM THE GOVERNMENT OF
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Government of The United Kingdom

via the Embassy of the United Kingdom 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”) is seised of “United Kingdom of Great Britain and Northern Ireland’s Motion for Extension of Time to Respond to the Trial Chamber’s Order Inviting Submissions” filed confidentially on 23 November 2011 (“Request”), and hereby renders its decision thereon.

1. The Chamber is currently seised of the Accused’s “Motion for Invitation to United Kingdom”, filed publicly on 10 November 2011 (“Motion”), whereby the Accused requests that the Government of the United Kingdom of Great Britain and Northern Ireland (“UK”) be invited to provide certain information to him.¹ The Motion provides that on 9 November 2011, the UK notified the Accused that seven documents potentially related to his case are in the UK’s possession, but that they could not be released to him because they originate from a third state and are highly classified.² Accordingly, the Accused requested the Chamber to invite the UK to describe the seven documents in question and also reveal the identity of the third state that originally produced the documents.³

2. On 17 November 2011, the Chamber issued an invitation requesting the UK to file a response to the Motion within fourteen days of the receipt of the invitation.⁴

3. On 23 November 2011, the UK filed the Request, seeking an extension of time to respond to the Motion. The UK submits that in order to fully evaluate the issues raised in the Chamber’s invitation, “extensive and substantive consultations” must be held with the third state in question, in addition to a detailed review of the Tribunal’s jurisprudence.⁵ The UK, therefore, requests an extension of time of 28 working days to respond to the Motion.⁶

4. On 24 November 2011, the Accused filed a public response stating that he has no objection to the Request.

5. The Chamber recalls that it is important that requests for the production of information are dealt with expeditiously. The Chamber further reiterates that it is also in the interests of the parties involved that requests for information are, if possible, dealt with on a voluntary basis. Therefore,

¹ Motion, para. 5.

² Motion, para. 3, Annex A.

³ Motion, para. 5.

⁴ Invitation to the United Kingdom of Great Britain and Northern Ireland, 17 November 2011.

⁵ Request, para. 2.

⁶ Request, para. 1.

in order to facilitate the co-operation between the UK and the Accused, the Chamber will grant the extension of time to the UK.

6. For the reasons outlined above, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the Request, and: (i) **INVITES** the UK to assist the Chamber by providing a response to the Motion by no later than close of business on 6 January 2012, and (ii) **REQUESTS** the Registry to provide this Decision to the UK.

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



Judge O-Gon Kwon, Presiding

Dated this twenty-fifth day of November 2011
At The Hague
The Netherlands

[Seal of the Tribunal]