



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: 20 July 2012

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

Order of: 20 July 2012

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

INVITATION TO THE UNITED STATES OF AMERICA

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

**The Government of the
United States of America**

via the Embassy of the United
States of America 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 Subpoena to Interview President Bill Clinton”, filed on 9 July 2012 (“Motion”), whereby the Accused requests, pursuant to Rule 54 of the Tribunal’s Rules of Procedure and Evidence (“Rules”), that the Chamber issue a subpoena to Bill Clinton, former President of the United States of America, compelling him to submit to an interview by the Accused’s legal adviser;¹

NOTING that, on 9 May 2012, the Accused served a letter on the Embassy of the United States (“U.S.”) in The Netherlands requesting that President Clinton submit to an interview with the Accused’s legal adviser;²

NOTING that, on 21 May 2012, the U.S. denied the Accused’s request, noting that it was insufficiently detailed and appeared duplicative of prior requests that had been granted or were still pending, but inviting the Accused to provide additional detail;³

NOTING that the Accused’s position is that the requested information is solely possessed by President Clinton and is not obtainable through alternative means;⁴

RECALLING that the U.S. has been willing to co-operate in the past with the Accused in facilitating access to information requested by the Accused;⁵

CONSIDERING also that it is in the interests of all parties involved that such requests are, if possible, dealt with on a voluntary basis and reiterating that the Chamber should only be involved as a method of last resort;

PURSUANT TO Rule 54 of the Rules,

HEREBY:

- (a) **INVITES** the U.S. to assist the Trial Chamber by filing a response to the Motion within 14 days of receipt of this Invitation; and

¹ Motion, para. 1.

² Motion, para. 27. Annex A

³ Motion, para. 28, confidential Annex C.

⁴ Motion, paras. 21-26

⁵ Motion, confidential Annex C.

(b) **REQUESTS** the Registry to provide this Invitation to the U.S.

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



Judge O-Gon Kwon
Presiding

Done this twentieth day of July 2012
At The Hague
The Netherlands

[Seal of the Tribunal]