



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: 19 December 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: 19 December 2012

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

SUBPOENA AD TESTIFICANDUM

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

The Government of Portugal

via the Embassy of Portugal 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”),

CONSIDERING the “Decision on Accused’s Motion to Subpoena Ambassador José Cutileiro”, issued on 19 December 2012 (“Decision”), in which the Chamber granted the Accused’s motion filed on 19 September 2012, requesting that a subpoena be issued directing Ambassador José Cutileiro to appear before the Chamber to give oral testimony on 11 February 2013 or on another date set by the Chamber;

PURSUANT TO Rule 54 of the Tribunal’s Rules of Procedure and Evidence (“Rules”);

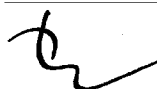
HEREBY ORDERS JOSÉ CUTILEIRO:

TO APPEAR to testify before the Chamber in the case of *Prosecutor v. Karadžić* at the seat of the Tribunal at Churchillplein 1, 2517 JW, The Hague, The Netherlands on 19 February 2013, or to show good cause why this subpoena cannot be complied with. The date of Ambassador Cutileiro’s testimony is subject to change, and this subpoena remains in force notwithstanding any such change. Ambassador Cutileiro will be notified of any change of date of, or location for, his testimony through the Registrar of the Tribunal.

FURTHER INFORMS JOSÉ CUTILEIRO that all necessary measures will be taken by the Victim and Witness Section of the Tribunal for his travel and appearance, and that all necessary costs incurred by virtue of his testimony shall be borne by the Tribunal. Representatives of the Tribunal have been directed to take whatever steps are reasonably necessary to ensure service of this subpoena and his appearance at trial.

**WILFUL FAILURE TO COMPLY WITH THE TERMS OF THIS SUBPOENA
CONSTITUTES CONTEMPT OF THE TRIBUNAL, PURSUANT TO RULE 77 OF THE
RULES, WHICH IS PUNISHABLE BY A TERM OF IMPRISONMENT NOT
EXCEEDING SEVEN YEARS, A FINE NOT EXCEEDING 100,000 EUROS, OR BOTH.**

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



Judge O-Gon Kwon, Presiding

Dated this nineteenth day of December 2012
At The Hague
The Netherlands

[Seal of the Tribunal]