



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-PT  
Date: 24 July 2009  
Original: English

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**IN THE TRIAL CHAMBER**

**Before:** Judge Iain Bonomy, Presiding  
Judge Christoph Flügge  
Judge Michèle Picard

**Registrar:** Mr. John Hocking

**Decision of:** 24 July 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**DECISION ON REQUESTS FROM THE KINGDOMS OF NORWAY AND BELGIUM**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Government of the Kingdom of Norway**

via Royal Norwegian Embassy  
to The Netherlands, The Hague

**The Accused**

Mr. Radovan Karadžić

**The Government of the Kingdom of Belgium**

via the Embassy of Belgium  
to The Netherlands, The Hague

**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 the “Response to the Invitation to the Kingdom of Norway” of 23 July 2009 and the correspondence of the Kingdom of Belgium of 23 July 2009 (collectively, “Requests”), and hereby renders its decision thereon.

1. In the Requests, the Governments of the Kingdoms of Norway and Belgium request an extension of time to respond to the Accused’s motions requesting them to produce certain documents to him.<sup>1</sup> The Trial Chamber is currently seised of the “Motion for Binding Order: Government of Norway” filed by the Accused on 9 July 2009 (“Norway Motion”), and the “Motion for Binding Order: Government of Belgium” filed by the Accused on 20 July 2009 (“Belgium Motion”) (collectively, “Motions”).<sup>2</sup> In the Motions, the Accused has acknowledged that the Governments should be given the opportunity to be heard on this issue.<sup>3</sup> The Prosecution has submitted that it takes no position on the Motions.<sup>4</sup>

2. To assist the Trial Chamber in deciding on the Accused’s Requests, on 9 July 2009 it invited the Government of the Kingdom of Norway (“Norwegian Government”) to respond to the Norway Motion by 23 July 2009.<sup>5</sup> On 21 July 2009, the Trial Chamber subsequently invited the Government of the Kingdom of Belgium (“Belgian Government”) to respond the Belgium Motion by 4 August 2009.<sup>6</sup>

3. On 23 July 2009, the Norwegian Government provided a response to the Norway Motion indicating that it had initiated a search for the documents requested by the Accused, but that it needed an extension of six weeks of the time-limit the Trial Chamber had set due to the nature of the documents sought and the summer holiday season.<sup>7</sup> Also on 23 July 2009, the Belgian Government requested an extension of the time-limit the Trial Chamber had set to 4 September 2009, and indicated that it had already authorised the Belgian authorities to carry out the Accused’s request.<sup>8</sup>

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<sup>1</sup> Response to Invitation to the Kingdom of Norway, 23 July 2009; Correspondence of the Kingdom of Belgium, 23 July 2009.

<sup>2</sup> Norway Motion, para. 1; Belgium Motion, para. 1.

<sup>3</sup> Norway Motion, para. 26; Belgium Motion, para. 33.

<sup>4</sup> Prosecution Submission Regarding Motion for Binding Order: Government of Norway, 9 July 2009; Prosecution Submission Regarding Motion for Binding Order: Government of Belgium, 20 July 2009.

<sup>5</sup> Invitation to the Kingdom of Norway, 9 July 2009.

<sup>6</sup> Invitation to the Kingdom of Belgium, 21 July 2009.

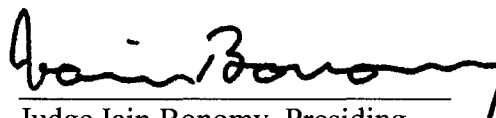
<sup>7</sup> Response to Invitation to the Kingdom of Norway, 23 July 2009.

<sup>8</sup> Correspondence of the Kingdom of Belgium, 23 July 2009.

4. The Trial Chamber considers that it is in the interests of all parties involved that requests for documents are, if possible, dealt with on a voluntary basis. It is equally important that these requests are dealt with expeditiously. With a view to achieving these objectives, the Trial Chamber considers it appropriate to grant reasonable extensions to the Norwegian and Belgian Governments to respond to the Motions in the hope that the documents sought can be identified and provided to the Accused within a reasonable time without further intervention by the Chamber.

5. For the reasons outlined above, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the Requests and: (i) **INVITES** the Norwegian Government and the Belgian Government to assist the Trial Chamber by providing a response to the Motions by close of business on 4 September, and (ii) **REQUESTS** the Registry to provide this Decision to the Governments.

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

  
Judge Iain Bony, Presiding

Dated this twenty-fourth day of July 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**