



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 August 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 August 2009

**PROSECUTOR**

v.

**RADOVAN KARADŽIĆ**

***PUBLIC***

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**DECISION ON REQUEST FROM THE FEDERAL REPUBLIC OF GERMANY**

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**Office of the Prosecutor**

Mr. Alan Tieger  
Ms. Hildegard Uertz-Retzlaff

**The Federal Republic of Germany**

via Embassy of the Federal Republic of Germany  
to The Netherlands, The Hague

**The Accused**

Mr. Radovan Karadžić

**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 request from the Government of the Federal Republic of Germany (“German Government”) of 21 August 2009 (“Request”), and hereby renders its decision thereon.

1. The Trial Chamber is currently seised of the “Motion for Binding Order: Government of Germany” filed by the Accused on 12 August 2009 (“Motion”). In the Motion, the Accused has acknowledged that the German Government should be given the opportunity to be heard on the matter before a binding order is issued.<sup>1</sup> The Prosecution has informed the Chamber and the Accused, via email, that it does not intend to respond to the Motion.

2. On 14 August 2009, in order to obtain some assistance in deciding the Accused’s Request, the Trial Chamber invited the German Government to respond to the Motion by no later than 28 August 2009.<sup>2</sup>

3. On 21 August 2009, the German Government filed the present Request noting that the number of documents requested by the Accused is extensive, necessitating co-operation among several different authorities. For that reason, the German Government has requested an extension of time until 25 September 2009 to reply to the Tribunal’s invitation.<sup>3</sup>

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 a reasonable extension of time to the German Government to respond to the Motion in hope that the documents sought can be identified and provided to the Accused within a reasonable time and without further intervention by the Chamber.

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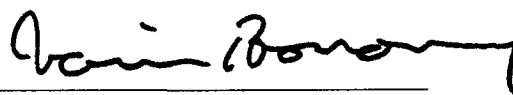
<sup>1</sup> Motion, para. 34.

<sup>2</sup> Invitation to the Federal Republic of Germany, 14 August 2009.

<sup>3</sup> Request, para. 3.

5. For the reasons outlined above, pursuant to Rule 54 of the Rules, the Trial Chamber hereby **GRANTS** the Request and: (i) **INVITES** the German Government to assist the Trial Chamber by providing a response to the Motion by close of business on 25 September 2009, and (ii) **REQUESTS** the Registry to provide this Decision to the German Government.

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



Judge Iain Bonomy, Presiding

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

[Seal of the Tribunal]