



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: 6 December 2010

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: 6 December 2010

PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**ORDER IN RELATION TO EXHIBITS MARKED FOR IDENTIFICATION PENDING
ENGLISH TRANSLATION**

Office of the Prosecutor

Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

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”), *proprio motu*, hereby issues this Order in relation to proposed exhibits marked for identification pending English translation.

1. During the trial proceedings on 5 November 2010, the Chamber addressed the issue of the lack of English translation of many of the documents tendered by the Accused during his cross-examination.¹ The Chamber reminded the Accused that the lack of English translation of these documents causes difficulties in the proceedings. The Chamber emphasised that it is the responsibility of the parties to obtain and upload into e-court the English translation of all documents to be used in the course of the proceedings and that, in the future, it would consider preventing the Accused from using documents that are not translated into English.²

2. To date, there are more than one hundred proposed exhibits tendered by the Accused that remain marked for identification pending English translation. Having consulted with the Registry’s Office of Document Management, the Chamber notes that many of these documents have already been translated into English and that the Accused should have been able to access those translations by making the necessary requests through the Translation Tracking System (TTS), and then have uploaded them into e-court. The Chamber is concerned that the Accused and his defence team do not appear to be making proper and efficient use of the TTS to locate pre-existing translations, or indeed to request translations of all the documents he intends to use in court from the Registry’s Conference and Language Services Section (CLSS).

3. The Chamber reminds the Accused that he is responsible for obtaining the necessary English translations of all documents he intends to use during his cross-examination. He should, well in advance of tendering the document in court, use the TTS to identify those documents which have been translated and make the necessary requests to CLSS. Should he continue to fail to do so, the Chamber will consider preventing untranslated documents from being used in the courtroom.

4. Accordingly, the Trial Chamber, pursuant to Rule 54 of the Rules, hereby,

ORDERS the Accused to:

¹ Hearing, T.9161 (5 November 2010).

² Hearing, T.9162 (5 November 2010).

- i. use the TTS to request English translations of all proposed exhibits currently marked for identification pending translation and upload those translations into the ecourt system, by 31 January 2011; and
- ii. file the requisite motion(s) for admission of those proposed exhibits that have been marked for identification pending translation, by 7 February 2011.

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



Judge O-Gon Kwon
Presiding

Dated this sixth day of December 2010
At The Hague
The Netherlands

[Seal of the Tribunal]