



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: 16 February 2009
Original: English

IN THE TRIAL CHAMBER

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

Acting Registrar: Mr. John Hocking

Order of: 16 February 2009

THE PROSECUTOR

v.

RADOVAN KARADŽIĆ

PUBLIC

**INVITATION TO THE UNITED STATES OF AMERICA
PURSUANT TO RULES 54 AND 70**

Office of the Prosecutor:

Mr. Alan Tieger
Mr. Mark B. Harmon
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

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 “Motion for Order Pursuant to Rule 70”, filed on 9 February 2008 (“Motion”), whereby the Accused requests the Trial Chamber to issue an order pursuant to Rules 54 and 70 of the Rules of Procedure and Evidence of the Tribunal (“Rules”) to the effect that the provisions of Rule 70 should apply to any information provided by the Government of the United States of America in response to the Accused’s request outlined in a letter dated 11 December 2008;¹

NOTING that the Accused has not submitted with the Motion any confirmatory material from the Government of the United States of America but merely refers to “a meeting on 4 February 2009, [in which] the United States Legal Counselor ... expressed the willingness of the United States to search for and provide material responsive to the request, and to make Ambassador Goldberg available for an interview, so long as a Rule 70 order was obtained”;²

CONSIDERING that, in order to determine the Motion, the Trial Chamber needs to be satisfied that the Government of the United States of America has consented to produce the information sought on the condition that the provisions of Rule 70 will apply;

CONSIDERING that the Trial Chamber would be assisted by any information and comments the Government of the United States of America can provide on its communication with the Accused to that effect;

¹ Motion, para. 3.

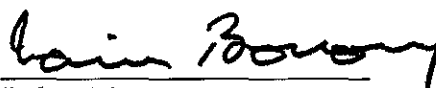
² Motion, para. 4.

PURSUANT TO Rules 54 and 70 of the Rules;

HEREBY:

- (a) **INVITES** the Government of the United States of America, within 14 days from the date of service of this Invitation, to assist the Trial Chamber by providing the information referred to above; and
- (b) **REQUESTS** the Registry to provide both the Motion and this Invitation to the Government of the United States of America.

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



Judge Iain Bonomy
Presiding

Done this sixteenth day of February 2009
At The Hague
The Netherlands

[Seal of the Tribunal]