

THE INTERNATIONAL CRIMINAL TRIBUNAL
FOR THE FORMER YUGOSLAVIA

CASE No. IT-95-5/18-T

IN TRIAL CHAMBER No. 3

Before: Judge O-Gon Kwon, Presiding
Judge Howard Morrison
Judge Melville Baird
Judge Flavia Lattanzi, Reserve Judge

Registrar: Mr. John Hocking

Date: 12 June 2013

THE PROSECUTOR

v.

RADOVAN KARADZIC

Public w/Confidential Annex

REQUEST FOR INVITATION
TO FRANCE

The Office of the Prosecutor:
Mr. Alan Tieger
Ms. Hildegard Uertz-Retzlaff

Government of France

The Accused:
Radovan Karadzic

1. Dr. Radovan Karadzic respectfully requests that the Trial Chamber issue an invitation to the government of France requesting that it cooperate with the defence by obtaining answers to the attached questions from one of its former officers, and authorizing that officer to testify as a defence witness.¹

2. The government of France has taken the consistent position that since the defence is not an organ of the Tribunal, it will not honor any requests received directly from the defence. It will only act on such requests if they are made by the Trial Chamber.²

3. On 9 June 2013, Dr. Karadzic was advised by witness Yves Bataille that a former French Army officer with whom he was acquainted had information on who had fired the shell which landed on the Markale market on 28 August 1995. He provided the contact information for that officer.

4. On 10 June 2013, the officer was contacted by my Legal Advisor Peter Robinson. The officer advised that he did indeed have information about the Markale II incident and that his information, in general, was that UNPROFOR had been able to identify the location from which the shell had been fired as being close to the confrontation lines and had identified a group of men moving from that location to territory controlled by the Bosnian Muslim Army immediately after the shelling.

5. The officer indicated that he was willing to testify if approved by the French government.

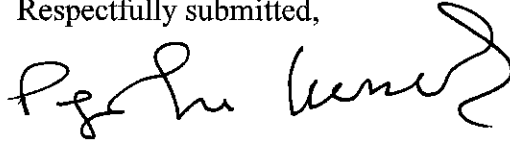
6. Therefore, Dr. Karadzic respectfully requests that the Trial Chamber issue an invitation to France requesting that it obtain answers to the questions and authorize the officer to testify as a defence witness before the Tribunal. After receiving the answers and authorization, Dr. Karadzic will file a motion to add the officer to his witness list and will use the answers as the statement of the witness pursuant to Rule 92 *ter*.

¹ The questions are attached as Confidential Annex "A". They are filed confidentially because they reveal the officer's identity and it has been the policy of the French government that such information be treated as confidential.

² See *Request for Invitation to Government of France* (26 March 2012) at Annex B.

Word count: 429

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Radovan Karadzic', written in a cursive style.

Radovan Karadzic