



International Tribunal for the Prosecution
of Persons Responsible for Serious
Violations of International Humanitarian
Law Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-95-9-PT

Date: 5 October 1998

English
Original: French

IN THE TRIAL CHAMBER

Before: Judge Claude Jorda, Presiding
Judge Fouad Riad
Judge Almiro Simões Rodrigues

Registrar: Mr. Jean-Jacques Heintz, Deputy Registrar

Order of: 5 October 1998

THE PROSECUTOR

v.

STEVAN TODORVIĆ

ORDER FOR A FURTHER MEDICAL EVALUATION

The Office of the Prosecutor:

**Mr. Grant Nieman
Ms. Nancy Paterson
Mr. John Michelich**

Defence Counsel:

Mr. Goran Nešković

TRIAL CHAMBER I of the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the former Yugoslavia since 1991;

PURSUANT to Rule 54 of the Rules of Procedure and Evidence;

NOTING the Defence application for an order for a medical evaluation, dated 1 October 1998;

CONSIDERING that the accused was wounded at the time of his arrest;

CONSIDERING that, upon his arrival at The Hague, he was examined by the physician of the detention unit as well as by a neurologist;

CONSIDERING that the neurologist concluded that, as the matter stood, an MRI was not necessary;

CONSIDERING that, in support of its application, the Defence filed a document from a physician in Belgrade stating the need to resort to a "CAT-scan of the brain and/or an MRI";

CONSIDERING that, although no conclusions can be drawn from that document since the said physician did not examine the accused, and, that moreover, it contains irrelevant comments, the Trial Chamber deems that, in view of the nature of the application and the arguments presented at the initial appearance hearing of 30 September 1998, the application must be granted;

FOR THE FOREGOING REASONS

ORDERS that a further medical evaluation of the accused be carried out to specify, *inter alia*, whether an MRI should be done;

REQUESTS that the Registrar designate an expert for that purpose;

STATES that the expert shall submit his report eight days from the present order; and

STATES that, should medical tests be required, the Registrar shall make the necessary arrangements.

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

Done this fifth day of October 1998,

At The Hague

The Netherlands.

(Signed)

Claude Jorda

Presiding Judge Trial Chamber I

(Seal of the Tribunal)