



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-98-34-PT

Date 18 April 2000

French  
Original: English

**IN THE TRIAL CHAMBER**

**Before:** Judge Almiro Rodrigues, Presiding  
Judge Fouad Riad  
Judge Patricia Wald

**Registrar:** Mrs. de Sampayo Garrido-Nijgh, Registrar

**Decision of:** 18 April 2000

**THE PROSECUTOR**

**v.**

**MLADEN NALETILIĆ  
VINKO MARTINOVIĆ**

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**ORDER CONCERNING MOTION OF THE ACCUSED MLADEN NALETILIĆ  
FOR A MEDICAL AND PSYCHIATRIC EXAM**

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**The Office of the Prosecutor:**

**Mr. Franck Terrier**

**Defence Counsel:**

**Mr. Branko Šerić  
Mr. Krešimir Krsnik**

**TRIAL CHAMBER I** 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;

**NOTING** the oral motion of the defence of the accused Mladen Naletilić for a medical examination at the initial appearance of the accused on 24 March 2000 and the subsequent written "Motion for Medical and Psychiatric Examination" filed by the accused on 10 April 2000, in which the accused asks for an examination to evaluate his mental and physical capacity to attend and participate in trial proceedings;

**NOTING** that the Prosecution indicated that it did not oppose the oral defence motion for such examination at the initial appearance on 24 March 2000;

**NOTING** that Rule 74 *bis* of the Rules of Procedure and Evidence permits the Trial Chamber to order a medical, psychiatric, or psychological examination of the accused;

**CONSIDERING** that there is evidence in the record about the accused's coronary condition and its impact on his health and capacity for activity and stress;

**FOR THE FOREGOING REASONS,**

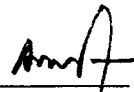
**ORDERS** that an expert medical and psychological evaluation of the accused Mladen Naletilić be conducted to determine his mental and physical capacity to attend and participate in his trial;

and

**INSTRUCTS** the Registrar to take all necessary steps to implement this order so that the expert's report be filed no later than 25 May 2000.

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

Done this eighteenth day of April 2000,  
At The Hague,  
The Netherlands.



**Almiro Rodrigues**  
Presiding Judge, Trial Chamber I

(Seal of the Tribunal)