



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-02-54-T
Date: 9 February 2005
Original: ENGLISH

IN THE TRIAL CHAMBER

Before: Judge Patrick Robinson, Presiding
Judge O-Gon Kwon
Judge Iain Bonomy

Registrar: Mr. Hans Holthuis

Order: 9 February 2005

PROSECUTOR

v.

SLOBODAN MILOŠEVIĆ

SCHEDULING ORDER

Office of the Prosecutor:

Ms. Carla Del Ponte
Mr. Geoffrey Nice

The Accused:

Mr. Slobodan Milošević

Court Assigned Counsel:

Mr. Steven Kay, QC
Ms. Gillian Higgins

Amicus Curiae:

Prof. Timothy McCormack

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 (“International Tribunal”),

Proprio motu,

NOTING the request by the Accused today in court that the proceedings be adjourned until Monday because he was feeling unwell,

NOTING that he also informed the Court that he had had a temperature while in court over the past two days,

NOTING the oral Order of the Trial Chamber to the Registrar to obtain a medical report today on the condition of the Accused,

NOTING the medical report received from the physician on duty at the United Nations Detention Unit (“UNDU”), informing the Trial Chamber, *inter alia*, that:

- (1) The Accused told him that he had not been feeling well during the previous two days, while he was attending court;
- (2) “At the moment there are no physical indications of an active infection or another ailment”;
- (3) But that it is “reasonable to assume that after a bout of flu a patient will need additional recuperation time with indistinguishable symptoms remaining”;

- (4) For this reason, the doctor is “unable to ascertain whether or not Mr. Milosevic will be fit to attend court tomorrow”,

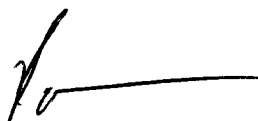
CONSIDERING that, while the report is inconclusive in respect of the fitness of the Accused to attend court tomorrow, the Trial Chamber considers, in light of the finding of the doctor that it is “reasonable to assume that after a bout of flu a patient will need additional recuperation time with indistinguishable symptoms remaining”, the best course is to grant the adjournment requested,

PURSUANT to Rule 54 of the Rules of Procedure and Evidence of the International Tribunal,

HEREBY ORDERS AS FOLLOWS:

- (1) The proceedings are adjourned until Monday, 14 February 2005, at 9am; and
- (2) Notwithstanding the intention of the doctor to carry out further examinations of the Accused, the Registrar shall direct a medical examination of him to be carried out and a report issued by Friday, 11 February 2005, indicating the state of health of the Accused and his fitness to attend court on 14 February 2005.

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



Judge Patrick Robinson
Presiding

Dated this ninth day of February 2005
At The Hague
The Netherlands

[Seal of the Tribunal]