



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: 14 July 2005  
Original: English

**IN THE TRIAL CHAMBER**

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

**Registrar:** Mr. Hans Holthuis

**Decision of:** 14 July 2005

**PROSECUTOR**

v.

**SLOBODAN MILOŠEVIĆ**

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**ORDER ON MEDICAL OPINION BY THE CARDIOLOGIST**

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**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 (“the International Tribunal”),

**HAVING STATED** in the “Omnibus Order on Matters Arising out of Status Conference on the Defence Case”, issued on 22 April 2005, “that the Trial Chamber will in due course seek advice from the Accused’s treating cardiologist as to whether it is appropriate to extend the sitting times”,

**CONSIDERING** that, in the current circumstances, it is now appropriate for the Trial Chamber to seek such advice,

**CONSIDERING** the discussion at the Status Conference held on 14 April 2005 concerning the prospect of sitting longer hours and its possible impact on the health of the Accused,

**NOTING** the Trial Chamber’s ruling in September 2003 that, in light of medical advice concerning the Accused’s health at that time, the Chamber would sit in this case for three days each week, which has continued to be the sitting regime,<sup>1</sup>

**CONSIDERING** that, in the current circumstances, it is appropriate for the Accused’s treating cardiologist, Dr. van Dijkman, to be asked to provide an opinion as to whether the Accused is able to sit longer than the current sitting schedule,

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<sup>1</sup> See “Decision on Prosecution’s Request for Variation of the Trial Chamber’s Order Regarding the Trial Schedule”, 2 October 2003, recalling the Chamber’s oral ruling on 30 September 2003. This regime was established in accordance with advice from Dr. van Dijkman, the Accused’s treating cardiologist.

**HEREBY ORDERS** the Registrar to **REQUEST** Dr. van Dijkman to provide, by 8 August 2005, his medical opinion—based on the available medical information and, if he considers it appropriate, any relevant examination of the Accused—as to whether the Accused is now fit to sit longer than the current sitting schedule, including, but not limited to, the following possibilities:

- (1) Sitting for longer on each of the three current sitting days;
- (2) Sitting four or five days per week;
- (3) Sitting in some other combination, such as four days per week in two or three out of every four weeks.

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



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Judge Robinson  
Presiding

Dated this fourteenth day of July 2005  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**