



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: 20 January 2006  
Original: English

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**IN THE TRIAL CHAMBER**

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

**Registrar:** Mr. Hans Holthuis

**Decision of:** 20 January 2006

**PROSECUTOR**

v.

**SLOBODAN MILOŠEVIĆ**

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**DECISION ON PROSECUTION MOTION FOR SPECIFIC ORDERS  
RELATING TO TRIAL IN ABSENTIA**

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**Office of the Prosecutor**

Ms. Carla Del Ponte  
Mr. Geoffrey Nice

**The Accused**

Mr. Slobodan Milošević

**Assigned Counsel**

Mr. Steven Kay  
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 (“Tribunal”),

**BEING SEIZED OF** a “Prosecution’s Motion for Specific Orders Relating to Trial in Absentia”, filed on 16 January 2006 (“Motion”), in which it seeks orders from the Trial Chamber relating to the conduct of the Defence case in the event that the Accused is absent from the trial on the grounds of ill health, and of the “Book of Authorities for the Prosecution’s Motion for Specific Orders Relating to Trial in Absentia”, filed on 17 January 2006 (“Book of Authorities”),

**NOTING** that the Motion itself is prolix and in parts repetitive, and is more than three times the permitted length,<sup>1</sup>

**CONSIDERING** that the Motion seeks relief in respect of events which have not taken place and is, therefore, hypothetical and premature, and relates to issues of which the Trial Chamber is well aware and well placed to deal with if they arise,

**PURSUANT TO** Rule 54 of the Rules of Procedure and Evidence of the Tribunal,

**HEREBY DISMISSES THE MOTION.**

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



Judge Robinson  
Presiding

Dated this twentieth day of January 2006  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**

<sup>1</sup> ‘Practice Direction on the Length of Briefs and Motions’, IT/184 Rev. 2, 16 September 2005, para. 5.  
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