

UNITED
NATIONS



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: IT-03-67-PT

Date: 12 July 2006

Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Patrick Robinson
Judge Bakone Justice Moloto

Registrar: Mr Hans Holthuis

Decision of: 12 July 2006

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

**DECISION REGARDING DEADLINES FOR RESPONSES TO MOTIONS ON
EXPERT WITNESSES AND ADJUDICATED FACTS**

Office of the Prosecutor

Ms Hildegard Uertz-Retzlaff
Mr Dan Saxon
Mr Ulrich Müsemeyer

The Accused

Mr Vojislav Šešelj

Standby counsel

Mr Tjarda Eduard van der Spoel

TRIAL CHAMBER I of the International Criminal Tribunal for the former Yugoslavia;

NOTING that the Prosecution, pursuant to Rule 94 *bis*, filed an expert report by Anthony Oberschall on 21 March 2006, received by the Accused on the same date,¹ and an addendum to this report on 24 May 2006, as well as two expert reports by Andras Riedlmayer and Yves Tomić on 23 May 2006, received by the Accused on 31 May 2006;²

NOTING that the Prosecution, pursuant to Rule 94(B), filed a motion on judicial notice of adjudicated facts on 23 May 2006 and that the Accused received this material on 29 June 2006;³

NOTING that on 24 March 2006, the Accused filed his response to the expert report of Anthony Oberschall, indicating that he requested to cross-examine Mr Oberschall;⁴

NOTING that, at the Status Conference of 4 July 2006, the Accused stated that he also challenged the report of Yves Tomić and indicated he wished to cross-examine this expert witness;⁵

NOTING that, at the aforementioned Status Conference, the Accused also requested to be allowed to file a notice in accordance with Rule 94 *bis* regarding the expert reports of Anthony Oberschall and Yves Tomić by 1 September 2006 and to respond to the motion on judicial notice of adjudicated facts, also by 1 September 2006;⁶

NOTING that the Prosecution did not object to the 1 September deadline for the Anthony Oberschall report⁷ and that it suggested the deadline of 31 July 2006 for the report by Yves Tomić;⁸

CONSIDERING that the Pre-Trial Chamber shall take measures to prepare the case for a fair and expeditious trial and may modify the time for filing responses;

RECALLING that the Pre-Trial Judge directed the Accused to limit his submissions on adjudicated facts to the criteria developed by the jurisprudence of the Tribunal;⁹

¹ T. 550.

² T. 550.

³ T. 558.

⁴ Submission 141, 24 March 2006.

⁵ T. 551-552.

⁶ T. 552.

⁷ T. 553.

⁸ T. 554.

⁹ T. 558-559.

PURSUANT to Rules 65 *ter* (B), 94 (B), 94 *bis*, and 126 *bis* of the Rules;

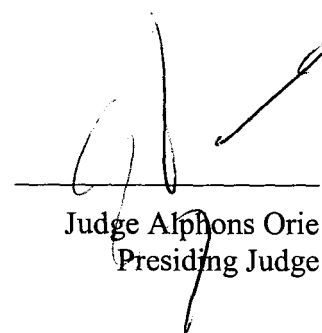
FOR THE FOREGOING REASONS

THE CHAMBER HEREBY,

GRANTS the Accused until 1 September 2006 to file additional notices pursuant to Rule 94 *bis*, if he so wishes;

GRANTS the Accused until 1 September 2006 to file a response to the motion on judicial notice of adjudicated facts pursuant to Rule 94(B), if he so wishes, and allowing him, in this specific case only, to file a response of up to 5,000 words;

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



Judge Alphons Orie
Presiding Judge

Dated this 12th day of July 2006
At The Hague
The Netherlands

[Seal of the Tribunal]