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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 No. IT-03-67-PT

Date: 19 October 2006

Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Patrick Robinson
Judge Frank Höpfel

Registrar: Mr Hans Holthuis

Decision of: 19 October 2006

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

**DECISION ON REQUEST FOR EXTENSION OF TIME
(SUBMISSION NUMBER 126)**

Office of the Prosecutor

Ms Hildegard Uertz-Retzlaff
Mr Daniel Saxon
Mr Ulrich Müsemeyer

Counsel for Vojislav Šešelj

Mr David Hooper
Mr Andreas O'Shea

TRIAL CHAMBER I of the International Tribunal;

BEING SEISED OF “Submission Number 126” by the Accused dated and submitted to the Registry on 3 January 2006 and filed in its English translation on 11 January 2006;¹

NOTING the Trial Chamber’s “Decision on the Request of the Accused for Trial Chamber II to Issue an Order for the Trial to Commence by 24 February 2006 or an Order to Abolish Detention, Dismiss the Indictment and Release Dr Vojislav Šešelj (Submission Number 116)” signed on 12 December 2005 and filed in the original language and translation on 13 December 2005, denying the request;

NOTING that the Accused has requested, pursuant to Rule 127 of the Tribunal’s Rules of Procedure and Evidence, an extension of the deadline for filing an application for certification to appeal the aforementioned decision to 3 January 2006, namely the date on which the Submission was presented to the Registry;

NOTING that under Rule 73 (C) of the Rules, “[r]equests for certification shall be filed within seven days of the filing of the impugned decision”, and that Rule 127 (A) (i) of the Rules provides that “a Trial Chamber [...] may, on good cause being shown by motion, enlarge or reduce any time prescribed by or under these Rules”;

NOTING that the Accused presented his Submission Number 126 to the Registry on 3 January 2006, namely 21 days after the filing of the aforementioned decision;

NOTING that the Accused gave as “good cause” that he had “experienced serious problems in communicating and cooperating with members of the expert team assisting in the preparation of [his] defence whose headquarters are in Belgrade” and that this had “resulted in [his] receiving the text of the appeal, which [he] intend[s] to file, only in the last days of December”²;

CONSIDERING that the Accused did not submit his application until well after the deadline of seven days set by Rule 73 (C), which was 20 December 2005;

CONSIDERING that the Accused voluntarily was, at the time, representing himself;

CONSIDERING that the communication or co-operation difficulties which the Accused allegedly experienced with persons he wished to consult, do not, in the circumstances, constitute “good cause” within the meaning of Rule 127 (A) (i) of the Rules;

¹ Hereinafter: “Motion”.

² Motion, first paragraph.

FOR THE FOREGOING REASONS,

DENIES the Motion.

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



Judge Alphons Orie
Presiding Judge

Dated this nineteenth day of October 2006
The Hague
The Netherlands

[Seal of the Tribunal]