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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-T

Date: 17 November 2010

**ENGLISH** 

Original: French

## **IN TRIAL CHAMBER III**

Before: Judge Jean-Claude Antonetti, Presiding

Judge Frederik Harhoff Judge Flavia Lattanzi

Registrar: Mr John Hocking

Order of: 17 November 2010

THE PROSECUTOR

 $\mathbf{v}_{ullet}$ 

VOJISLAV ŠEŠELJ

**PUBLIC DOCUMENT** 

ORDER AMENDING THE ORDER TO CONDUCT A FRESH EXPERT MEDICAL EVALUATION OF VOJISLAV ŠEŠELJ, FILED ON 19 OCTOBER 2010

## **The Office of the Prosecutor**

Mr Mathias Marcussen

The Accused

Mr Vojislav Šešelj

**TRIAL CHAMBER III** ("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");

## PROPRIU MOTU,

**NOTING** the "Order to Conduct a Fresh Expert Medical Evaluation of Vojislav Šešelj", filed publicly on 19 October 2010 ("Order of 19 October 2010"),

**NOTING** the hearing of 2 November 2010, during which the Chamber was informed that the Accused had undergone a medical procedure on Thursday, 28 October 2010,<sup>1</sup>

**NOTING** the Chamber's confidential internal memorandum sent to the Registry on 28 October 2010 concerning the make-up of the expert panel under the Order of 19 October 2010,

**NOTING** the Registry's confidential internal memorandum sent to the Chamber on 5 November 2010 concerning the make-up of the medical experts committee,

**CONSIDERING** that the Chamber was informed by the Registry that the procedures for appointing the international expert panel would lead to additional delays beyond the time-limits established in the Order of 19 October 2010,

**CONSIDERING** that the Chamber has significant concerns about the state of health of the Accused and is of the opinion that the appointment of the expert panel and the medical evaluation must be completed promptly yet without impairing the quality of the latter.

**CONSIDERING** that the Chamber finds that it is necessary, in order to complete successfully the medical evaluation required under the Order of 19 October 2010, for the appointed experts to be given access to all of the information concerning the recent medical procedure undergone by the Accused,

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<sup>&</sup>lt;sup>1</sup> Public hearing of 2 November 2010, T(F). 16432 – 16436.

## FOR THE FOREGOING REASONS,

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

**ORDERS** the expert panel appointed pursuant to the Order of 19 October 2010 to acquaint itself with the report on the Accused's medical procedure on 28 October 2010,

**ORDERS** that the time-limit for filing the report of the expert panel established in the Order of 19 October 2010 be extended to <u>15 January 2011</u>.

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

/signed/
Jean-Claude Antonetti
Presiding Judge

Done this seventeenth day of November 2010 At The Hague The Netherlands

[Seal of the Tribunal]