



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: 12 January 2012
Original: ENGLISH
French

IN TRIAL CHAMBER III

Before: Judge Jean-Claude Antonetti, Presiding
Judge Frederik Harhoff
Judge Flavia Lattanzi

Registrar: Mr John Hocking

Order of: 12 January 2011

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

**ORDER TO OBTAIN REPORTS FROM UNITED NATIONS
DETENTION UNIT AND TO PROCEED WITH A NEW MEDICAL
EXAMINATION**

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”),

PROPRIO MOTU,

CONSIDERING that Vojislav Šešelj (“Accused”) was hospitalised on 6 January 2012 and still remains in hospital,

CONSIDERING that since the last hearing on 23 August 2011¹ until the day of his hospitalisation, the Chamber was not informed about the state of health of the Accused,

CONSIDERING that the Chamber, concerned by the state of health of the Accused, deems that it is necessary to obtain precise information on the circumstances of the hospitalisation and the current health of the Accused,

CONSIDERING that there is need for the Accused to undergo a medical examination,

CONSIDERING that Dr Sergei Nickolaevitch Avdeev has already been part of the medical expert team charged with examining the Accused in 2011² and is, therefore, familiar with the medical file of the Accused,

CONSIDERING that Dr Sergei Nickolaevitch Avdeev, Pulmonary Specialist, could, should the need arise, be offered assistance from other physicians specialising in the illness from which the Accused is suffering,

FOR THE FOREGOING REASONS,

PURSUANT TO Rules 54 and 74 *bis* of the Rules of Procedure and Evidence of the Tribunal,

¹ Transcript of the Administrative Hearing of 23 August 2011, pp. 17013ff.

² See “Registry Submission Pursuant to Rule 33 (B) Regarding Expert Medical Report”, 5 July 2011 (public document with a confidential and *ex parte* annex).

ORDERS the Registry:

- to obtain as soon as possible, and within a maximum of five days from the date of this order, a report from the Commanding Officer of the United Nations Detention Unit (“Detention Unit”) on the circumstances under which the Accused was hospitalised and the procedure followed by the personnel involved,
- to obtain as soon as possible, and within three days of the date the Accused returns to the Detention Unit, a detailed medical report from the Detention Unit physician on the state of health of the Accused,
- to appoint, subject to availability, Dr Sergei Nickolaevitch Avdeev, as a specialist physician and to provide, as soon as possible and within 30 days at the latest from the date of the return of the Accused to the Detention Unit, his detailed report on the state of health of the Accused,
- to appoint, should Dr Sergei Nickolaevitch Avdeev be unavailable, another physician of the same nationality, who specialises in the illness of the Accused,
- to authorise, if need be, Dr Sergei Nickolaevitch Avdeev to engage the services of another physician.

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

/signed/
Jean-Claude Antonetti
Presiding Judge

Done this twelfth day of January 2012
At The Hague
The Netherlands

[Seal of the Tribunal]