



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: 11 February 2011
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: 11 February 2011

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

**DECISION ON PUBLIC ORAL REQUEST OF ACCUSED ON 18 JANUARY
2011 TO RECEIVE A CONFIDENTIAL INTERNAL MEMORANDUM OF
THE REGISTRY**

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”),

SEIZED of the request made orally by Vojislav Šešelj (“Accused”) at the public Status Conference of 18 January 2011 to receive a confidential internal memorandum sent by the Registry to the Chamber on 7 January 2011 concerning the composition of a panel of medical experts to examine the Accused (“Request”),¹

NOTING the Order filed publicly by the Chamber on 19 October 2010, ordering the Registry to proceed to appoint a panel of three medical experts to examine the Accused and issue a report within two months, or rather, by 19 December 2010 at the latest (“Order of 19 October 2010”),²

NOTING the confidential internal memorandum sent by the Registry to the Chamber on 5 November 2010 informing the Chamber that the method used to appoint the panel of experts will require more time than the time initially allocated in the Order of 19 October 2010,

NOTING the Order filed publicly by the Chamber on 18 November 2010, ordering that the time-limit for the delivery of the report of the panel of experts set out in the Order of 19 October 2010 be amended and deferred to 15 January 2011 (“Order of 18 November 2010”),³

NOTING the confidential internal memorandum sent by the Registry to the Chamber on 7 January 2011, informing the Chamber that the method used to appoint the panel of experts again requires more time than the time initially allocated in the Order of 18 November 2010 (“Memorandum of 7 January 2011”),

¹ Hearing of 18 January 2011, French transcript (“T(F)”), 16600 (public).

² “Order to Conduct a Fresh Expert Medical Evaluation of Vojislav Šešelj”, public, 19 October 2010.

³ “Order Amending the Order to Conduct a Fresh Expert Medical Evaluation of Vojislav Šešelj, Filed on 19 October 2010”, public, 18 November 2010.

NOTING the Order filed publicly by the Chamber on 12 January 2011, ordering that the time-limit for the delivery of the report of the panel of experts set out in the Order of 18 November 2010 be deferred to 15 February 2011,⁴

CONSIDERING that at the public Status Conference held on 18 January 2011, the Accused asked to receive the Memorandum of 7 January 2011, on the ground that he should be informed of all the questions relating to his health,

CONSIDERING that the Office of the Prosecutor did not present any objections to this Request,

CONSIDERING that the Memorandum of 7 January 2011 is an internal document addressed solely to the Chamber,

CONSIDERING that the Memorandum of 7 January 2011 does not refer to the health of the Accused *per se*, but only to the technicalities of appointing a panel of experts,

CONSIDERING, finally, that the Accused will be kept informed about the composition of the panel of medical experts as soon it is appointed and that he would not be prejudiced in any way by not receiving the Memorandum of 7 January 2011,

⁴ “Order Amending the Order Filed on 18 November 2010”, public, 12 January 2011.

FOR THE FOREGOING REASONS

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

DENIES the Request.

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

 /signed/
Jean-Claude Antonetti
Presiding Judge

Done this eleventh day of February 2011
At The Hague
The Netherlands

[Seal of the Tribunal]