

UNITED
NATIONS

IT-03-67-T
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01 DECEMBER 2006

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**International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991**

Case No. IT-03-67-T
Date: 01 December 2006
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Frank Höpfel
Judge Ole Bjørn Støle

Registrar: Mr. Hans Holthuis

Decision of: 01 December 2006

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

SCHEDULING ORDER

The Office of the Prosecutor:

Ms Hildegard Uertz-Retzlaff
Mr Dan Saxon
Mr Ulrich Müssemer
Ms Melissa Pack
Ms Joanne Motoike

Counsel for the Accused:

Mr David Hooper
Mr Andreas O'Shea

TRIAL CHAMBER I (“Trial 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”):

NOTING the detailed information given by the Deputy Registrar at the Status Conference on 22 November 2006 according to which Vojislav Šešelj (“Accused”) is on a hunger strike since 10 November 2006 until various demands posed by him are met;¹

NOTING the Accused’s submission to the President of the Tribunal of 24 November 2006, affirming his decision to continue his hunger strike in pursuit of his demands, which has been referred to the Trial Chamber by the President;

CONSIDERING that, under the present circumstances, the Trial Chamber cannot exclude that the medical condition of the Accused will deteriorate to such a degree where, even if he would wish to do so, the Accused would be unable to instruct assigned counsel;

CONSIDERING that the first witness called by the Prosecution is currently scheduled to give evidence from 6 to 13 December 2006. On the basis of expert information provided to the Trial Chamber, the likely inability of the Accused to instruct counsel due to his condition would take place during this time period. In these circumstances, the interests of justice require postponement of the presentation of evidence in this case until further order;

CONSIDERING that in order to properly assess when the proceedings shall recommence, the Trial Chamber requires an update on progress of discussions between the Registrar or his representatives and the Accused, in particular those relating to his demands which have a bearing on the continuation of trial;

HEREBY ORDERS an adjournment in the trial hearings in this case until further notice;

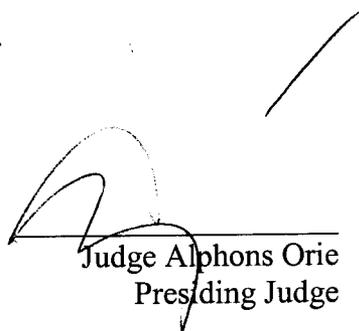
HEREBY INSTRUCTS the Registrar to update the Trial Chamber on any changes in the Accused’s medical condition which may affect the further scheduling of trial sessions;

¹ Transcript page 777-781. Subsequent to 22 November 2006, the Accused has made additional demands. His demands include registration of the Accused’s legal advisors pursuant to Rule 44 of the Tribunal’s Rules of Procedure and Evidence, the “normalization of conditions” for his defence, the removal of counsel for the Accused from the courtroom, and the disqualification of the judges currently composing the bench.

HEREBY INSTRUCTS the Registrar to continue his efforts to explore avenues for resolving the issues surrounding the Accused's demands, and to inform the Trial Chamber of any progress made in this regard.

HEREBY INSTRUCTS the Registrar to convey this Order to the Accused in his own language as soon as possible.

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



Judge Alphons Orie
Presiding Judge

Dated this first day of December 2006
The Hague
The Netherlands

[Seal of the Tribunal]