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International  
Criminal Tribunal  
for the former  
Yugoslavia

Tribunal Pénal  
International pour  
l'ex-Yougoslavie

# PRESS RELEASE

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PRESIDENT

The Hague, 30 November 2006  
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## TRIBUNAL'S GRAVE CONCERN ABOUT ŠEŠELJ'S ACTIONS WHICH ARE SERIOUSLY DAMAGING HIS HEALTH

The Tribunal expresses its grave concern about the actions of the accused Vojislav Šešelj, who by refusing to accept food, medicine, and medical care while in the custody of the Tribunal's Detention Unit is seriously jeopardizing his health.

In view of the Tribunal's obligation and commitment to safeguard the physical well-being of persons placed into its custody, Šešelj was yesterday moved from the Detention Unit to the adjoining Dutch prison hospital where additional medical facilities and staff are available. This was done to allow for his health to be monitored more closely and to guarantee prompt medical intervention should a medical necessity arise.

The Tribunal believes that if Šešelj persists with his refusal to accept food a medical necessity will arise in the near future justifying medical intervention.

Šešelj, who continues to drink water, has been declining food and medical care since 11 November 2006. Nonetheless, he has throughout had contact with a Dutch doctor who works with inmates at the Tribunal's Detention Unit. However, Šešelj has maintained that he will not be treated by this or any other doctor of Dutch nationality.

In response to his refusal to allow Dutch doctors to assess his medical condition the Tribunal has sought to identify with Šešelj a doctor or doctors whom are agreeable to him. Šešelj advised the Tribunal that he would agree to doctors from a number of countries, including France and Serbia. Today, Šešelj refused to meet with a French doctor who had traveled to the Dutch prison hospital specifically to assess his medical condition. While taking this measure, the Tribunal has also requested both Šešelj and those he identifies as his associates to name a Serb physician or team of doctors that is acceptable to him. To date, Šešelj has not provided any name despite the Tribunal's willingness to accommodate his request for medical assistance of his choosing, in accordance with Rule 31 of the Tribunal's Rules of Detention.

Throughout the period of Šešelj's refusal to accept food or medical care, the Tribunal has provided briefings and sought to ensure that diplomats and government officials from the host state and the Republic of Serbia are kept well informed. Moreover, the Tribunal has maintained contact with leading international experts on detention and relevant related matters, such as the International Committee of the Red Cross (ICRC). Indeed, the Tribunal has extended an invitation to the ICRC to visit the Tribunal to provide their expertise and opinions, as well as visit the Tribunal's Detention Unit and Dutch prison hospital. In addition, ICRC representatives have been invited to meet Šešelj in the Dutch prison hospital.

The reasons provided by Šešelj for his refusal to accept food have been various and changing. A number of requests he has made in pre-trial proceedings have been addressed by the Tribunal's Registry including unmonitored visits by his wife, the facilities to be made available for the preparation of his defence and recognition of his legal

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associates. But he has also made other less publicized demands, such as that the Tribunal approach a foreign state in order to unfreeze assets he holds in overseas bank accounts.

Faced with a shifting group of demands, the Tribunal has sought from the outset to protect Šešelj's human rights. It has entered into extensive dialogue with him and endeavoured to impress upon him that the proper forum for many of his complaints is before the court where they will be given a fair and impartial hearing according to the highest standards of international law. Contrary to misinformation in some media where it is alleged that Šešelj is isolated in a Dutch prison hospital, the situation is Šešelj enjoys frequent contact with the hospital and the Detention Unit staff, as well as unimpeded 24-hour access to a telephone.

The Tribunal is committed to securing all rights guaranteed to Šešelj by the Tribunal's Statute and Rules of Procedure and Evidence. However, Šešelj has chosen to persist with a course of action that has seriously jeopardized his health and attempts to impede the Tribunal in its exercise of its duty of care.

Vojislav Šešelj is charged with persecutions of Croat, Muslim and other non-Serb populations and their expulsion from areas of Croatia and Bosnia and Herzegovina, as well as from parts of Vojvodina, in Serbia, committed between 1991 and 1993.

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