



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-PT
Date: 6 November 2006
Original: English

BEFORE THE BUREAU OF THE INTERNATIONAL CRIMINAL TRIBUNAL

Before:
Judge Fausto Pocar, President
Judge Kevin Parker
Judge Patrick Robinson
Judge Carmel Agius
Judge Alphons Orié

Registrar: Mr. Hans Holthuis

Decision of: 6 November 2006

THE PROSECUTOR

v.

Vojislav ŠEŠELJ

**DECISION ON MOTION TO QUASH THE PRACTICE DIRECTION ON THE LENGTH
OF BRIEFS AND MOTIONS**

Counsel for the Prosecutor:

Ms. Hildegard Uertz-Retzlaff
Mr. Daniel Saxon
Mr. Ulrich Mussemeyer

Standby Counsel:

Mr. David Hooper
Mr. Andreas O'Shea

The Accused (representing himself):

Mr. Vojislav Šešelj

1. On 4 October 2006, Vojislav Šešelj (“Šešelj”) filed before the Bureau¹ a Motion² requesting that the Bureau quash the Practice Direction on the Length of Briefs and Motions issued by the President of the International Tribunal on 19 January 2001, currently in its second revision dated 16 September 2005.³ He asserts that this Practice Direction prevents him from using and exercising his right to a fair trial.⁴

2. Practice Directions are issued by the President pursuant to Rule 19 of the Rules. The relevant part of that Rule provides that:

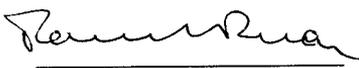
(B) The President may from time to time, and in consultation with the Bureau, the Registrar and the Prosecutor, issue Practice Directions, consistent with the Statute and the Rules, addressing detailed aspects of the conduct of proceedings before the Tribunal.

3. As the Rule explicitly states, the President is conferred with the authority to issue Practice Directions and the role of the Bureau is a consultative one in that process. Accordingly, the Bureau is not conferred with any authority to quash Practice Directions issued by the President.

4. In light of the foregoing, Šešelj’s Motion to quash the Practice Direction on the Length of Briefs and Motions is **DISMISSED**.

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

Done this 6th day of November 2006,
At The Hague,
The Netherlands.


Judge Fausto Pocar
President

[Seal of the Tribunal]

¹ Pursuant to Rule 23 of the Rules of Procedure and Evidence (“Rules”), the Bureau is composed of the President, the Vice-President and the Presiding Judges of the Trial Chambers.

² Motion from Professor Vojislav Šešelj for the Bureau of the ICTY to Quash the Direction on the Length of Submissions and Motions, 4 October 2006 (“Motion”), p. 8.

³ Practice Direction on the Length of Briefs and Motions, (IT/184/Rev. 2) (“Practice Direction”).

⁴ Motion, pp. 2, 8.