

UNITED  
NATIONS



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: 11 September 2006

Original: English

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**IN TRIAL CHAMBER I**

**Before:** Judge Alphons Orie, Presiding  
Judge Patrick Robinson  
Judge Bakone Justice Moloto

**Registrar:** Mr Hans Holthuis

**Order of:** 11 September 2006

**PROSECUTOR**

v.

**VOJISLAV ŠEŠELJ**

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**DECISION ON DEFENCE MOTION FOR STAY OF PROCEEDINGS  
OR EXTENSION OF TIME**

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**Office of the Prosecutor**

Ms Hildegard Uertz-Retzlaff  
Mr Ulrich Müssemer  
Mr Daniel Saxon

**Assigned Counsel for Vojislav Šešelj**

Mr David Cooper

**Acting Counsel**

Mr Tjarda Eduard van der Spoel

**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;

**BEING SEISED OF** the “Defence Motion for Stay of Proceedings, or Alternatively for Extension of Time” (“Motion”), filed on 29 August 2006 by Mr. van der Spoel, then Standby Counsel for Vojislav Šešelj (“Accused”), in which he requests that all time-limits relating to the filing of defence motions and responses to motions by the Office of the Prosecutor (“Prosecution”) should be stayed, pending a decision by the Appeals Chamber on the appeal against the Trial Chamber’s “Decision on Assignment of Counsel” of 21 August 2006; in the alternative, that the time-limits for certain defence responses to Prosecution motions be extended;

**NOTING** the “Prosecution’s Response to Defence Motion for Stay of Proceedings, or Alternatively for Extension of Time”, filed on 31 August 2006, in which the Prosecution opposes the Motion in its entirety and submits that further delay of the proceedings should be avoided;

**NOTING** the Deputy Registrar’s “Decision” of 30 August 2006, assigning Mr. David Hooper as Counsel for the Accused (“Assigned Counsel”), at the same time directing Mr. van der Spoel to act on behalf of the Accused in matters relating to the appeal against the “Decision on Assignment of Counsel”, and to assist Assigned Counsel for a period of thirty days, in accordance with Article 21(B) of the Directive on the Assignment of Defence Counsel;

**NOTING** the “Notification to Counsel” of 29 August 2006, in which the Trial Chamber listed all motions pending in this case, and set time-limits for Counsel in relation thereto;

**CONSIDERING** that there is no justification for a general stay of time-limits in the current proceedings pending a decision of the Appeals Chamber on the “Decision on Assignment of Counsel”;

**CONSIDERING** that Assigned Counsel has been given extended deadlines to respond to motions, and to withdraw, maintain or modify pending motions previously filed by the Accused;

**CONSIDERING** that the Trial Chamber may, on a case-by-case basis, entertain requests by Assigned Counsel to further extend these deadlines;

**FOR THE FOREGOING REASONS**

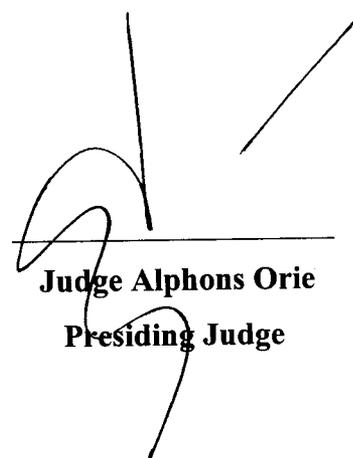
**DENIES** the Motion.

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

Dated this eleventh day of September 2006

The Hague

The Netherlands



**Judge Alphons Orié**  
**Presiding Judge**

**[Seal of the Tribunal]**