



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-03-69-T
Date: 8 September
2010
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Michèle Picard
Judge Elizabeth Gwaunza

Registrar: Mr John Hocking

Decision of: 8 September 2010

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**NOTICE OF DECISION ON THE STANIŠIĆ DEFENCE
REQUEST FOR A MEDICAL OPINION FROM THE
REPORTING MEDICAL OFFICER**

Office of the Prosecutor

Mr Dermot Groome

Counsel for Jovica Stanišić

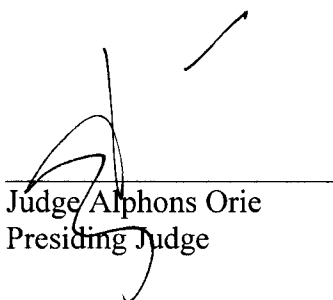
Mr Geert-Jan Alexander Knoops
Mr Wayne Jordash

Counsel for Franko Simatović

Mr Mihajlo Bakrač
Mr Vladimir Petrović

On 2 September 2010, in light of time constraints during Court proceedings, the Chamber informally communicated to the parties its Decision on the “Stanišić Defence Request for Medical Opinion from Reporting Medical Officer” of 23 August 2010, which it had intended to deliver orally. The Chamber hereby puts this decision on the record as an Annex to this Notice.

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



Judge Alphons Orié
Presiding Judge

Dated this eighth day of September 2010
At The Hague
The Netherlands

[Seal of the Tribunal]

PROSECUTOR

v.

**JOVICA STANIŠIĆ
FRANKO SIMATOVIĆ**

PUBLIC

**ANNEX TO
NOTICE OF DECISION ON THE STANIŠIĆ DEFENCE REQUEST FOR A MEDICAL
OPINION FROM THE REPORTING MEDICAL OFFICER**

The Chamber will now address the Stanišić Defence Request for a Medical Opinion from the Reporting Medical Officer, Dr Eekhof, which was filed on 23 August 2010. The Stanišić Defence requested the Chamber to instruct Dr Eekhof to address two questions with a view to a new request for provisional release.

On 1 September 2010, the Prosecution responded that it does not object to the Stanišić Defence's Request. The Prosecution requested that two additional questions be put to Dr Eekhof.

The Chamber is actively exploring the possibility of developing a strict protocol for monitoring, treating, and reporting on the Accused's medical condition, which might assist the Chamber in case a new request for provisional release is filed. The Chamber will accordingly consider whether it will put questions to Dr Eekhof, other medical experts, and/or the parties in relation to such a protocol, and whether to do so in oral or written form. As a result, the Chamber is not presently inclined to put the questions in the form proposed by the parties to Dr Eekhof.

For these reasons, the Stanišić Defence Request for a Medical Opinion from the Reporting Medical Officer is denied.