



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-T  
Date: 13 May 2009  
Original: ENGLISH  
French

**IN TRIAL CHAMBER III**

**Before: Judge Jean-Claude Antonetti, Presiding  
Judge Frederik Harhoff  
Judge Flavia Lattanzi**

**Acting Registrar: Mr John Hocking**

**Order of: 13 May 2009**

**THE PROSECUTOR**

**v.**

**VOJISLAV ŠEŠELJ**

***PUBLIC DOCUMENT***

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**ORDER ON MEDICAL REPORTS**

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**The Office of the Prosecutor**

M Daryl Mundis  
Ms Christine Dahl

**The Accused**

Mr Vojislav Šešelj

**TRIAL CHAMBER III** (“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 Chamber’s Order for Medical Reports of 2 April 2009 (“Order of 2 April 2009”), in which the Chamber ordered the Registry to transmit to it two detailed reports on the health of Vojislav Šešelj (“Accused”), prepared, respectively, by the Medical Officer of the United Nations Detention Unit and a panel of medical experts appointed by the Registry (“Panel of Experts”);<sup>1</sup>

**NOTING** the observations of a medical team regarding the health of Mr Vojislav Šešelj (“the Accused”) presented by the Accused on 5 May 2009 (“Accused’s Submission”);<sup>2</sup>

**NOTING** the Submissions of the Registry pursuant to Rule 33(B) of the Rules of Procedure and Evidence containing the medical reports (“Registry’s Submissions”);<sup>3</sup>

**CONSIDERING** that in the Registry’s Submissions, the doctors appointed by the Registry indicate that the Accused suffers from hypertension and hepatic problems;<sup>4</sup>

**CONSIDERING** that in the Accused’s Submissions, the doctors appointed by him expressed their concern regarding the abnormal results of medical tests that appear to indicate damage to the liver and bile system, and taking account of the Accused’s cardio-vascular pathologies;<sup>5</sup>

**CONSIDERING** that the Chamber notes that the report from the Panel of Experts contained in the Registry’s Observations does not provide precise and clear details on the tests and analyses that were conducted with a view to producing the said report;

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<sup>1</sup> “Order for Medical Reports”, 2 April 2009.

<sup>2</sup> BCS original, English translation titled “Submission of the Medical Opinion of a Team of Consultants Concerning the Current State of Health of Dr Vojislav Šešelj”, signed on 5 May 2009 and filed on 8 May 2009.

<sup>3</sup> “Registry’s Submission Pursuant to Rule 33(B) Regarding the Trial Chamber’s ‘Ordonnance relative aux Observations du Greffe du 7 mai 2009’”, 8 May 2009. This public version was filed pursuant to the “Ordonnance relative aux Observations du Greffe du 7 mai 2009”, rendered on 7 May 2009.

<sup>4</sup> Registry’s Submissions, Annex II, p. 3.

<sup>5</sup> Accused’s Submissions, p. 1.

**CONSIDERING** that the Chamber consequently finds that it is necessary, as a precaution, to take all measures to ensure that the Accused receives adequate medical treatment;

**FOR THE FOREGOING REASONS**, pursuant to Rule 54 of the Rules, the Chamber **ORDERS** that:

- The Registry appoint two medical experts, of different nationalities than the doctors previously appointed by the Registry to compose the Panel of Experts, specialised in the treatment of cardiovascular and liver diseases, respectively, to each submit a detailed and thorough report on the pathologies that the Accused is suffering from and the treatment to be prescribed to him;
- The Registrar ensure that it will be possible for the appointed experts to have access to the medical equipment necessary for them to present their respective reports and, if the need arises, to take the necessary steps with the Dutch medical authorities to secure the co-operation of Dutch hospitals and doctors.

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

/signed/  
Jean-Claude Antonetti  
Presiding Judge

Done this thirteenth day of May 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**