

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

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

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

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;

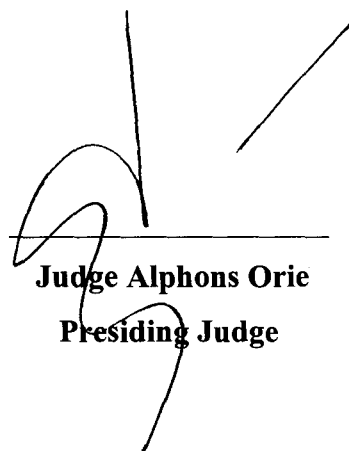
FOR THE FOREGOING REASONS**DENIES** the Motion.

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

Dated this eleventh day of September 2006

The Hague

The Netherlands



Judge Alphons Orie
Presiding Judge

[Seal of the Tribunal]