



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: 10 July 2014
Original: ENGLISH
French

IN TRIAL CHAMBER III

Before: Judge Jean-Claude Antonetti, Presiding
Judge Mandiaye Niang
Judge Flavia Lattanzi

Registrar: Mr John Hocking

Order of: 10 July 2014

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC

**ORDER TERMINATING THE PROCESS FOR PROVISIONAL RELEASE
OF THE ACCUSED *PROPRIO MOTU***

The Office of the Prosecutor

Mr Serge Brammertz
Mr Mathias Marcussen

The Accused

Mr Vojislav Šešelj

TRIAL CHAMBER III 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 (“Chamber” and “Tribunal” respectively),

CONSIDERING that the Chamber initiated *proprio motu* a process of consultations with the Parties,¹ the Republic of Serbia and the Kingdom of the Netherlands² with a view to a possible provisional release of the Accused; that this measure, considered on account of the prolongation of the proceedings following the replacement of a judge, had to be accompanied by a certain number of restrictions so as to ensure the reappearance before the Tribunal of the Accused and the integrity of the proceedings in keeping with the requirements under Rule 65 of the Rules of Procedure and Evidence (“Rules”),

CONSIDERING that, although it provided guarantees that the measures laid down by the Chamber regarding a possible provisional release would be respected, the Government of the Republic of Serbia said that its cooperation was subject to the formal and unequivocal commitment of the Accused to respect the imposed conditions,³

CONSIDERING that the only restriction to which the Accused committed himself was that he would not leave the territory of the Republic of Serbia;⁴ that it is therefore appropriate to terminate the process initiated by the Chamber with a view to a possible provisional release of the Accused,

FOR THE FOREGOING REASONS, the Chamber,

PURSUANT TO Rules 54, 65 (B) and 65 (C) of the Rules,

¹ “Order Inviting the Parties to Make Submissions on Possible Provisional Release of the Accused *Proprio Motu*”, 13 June 2014, public; “Order Inviting the Accused to State His Commitment to Respect Guarantees of His Possible Provisional Release *Proprio Motu*”, 3 July 2014, public.

² “Order Inviting Host Country and Receiving State to Present Their Comments with regard to Guarantees for a Possible Provisional Release of the Accused *Proprio Motu*”, 24 June 2014, public.

³ Correspondence from State re. Mr Šešelj provisional release submitted by State representatives on 2 July 2014, 2 July 2014, confidential.

⁴ “Professor Vojislav Šešelj’s Response to the Order of Trial Chamber III of 13 June 2014 Inviting the Parties to Make Submissions on Possible Provisional Release of the Accused *Proprio Motu*”, 17 June 2014, public, paras 3 and 4; Internal Memorandum from *Pro Se* Legal Liaison Officer re. information from Mr Šešelj, 8 July 2014, public.

