



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-03-67-PT
Date: 8 July 2005
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding
Judge Jean Claude Antonetti
Judge Kevin Parker

Registrar: Mr. Hans Holthuis

Order of: 8 July 2005

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

**DECISION ON CORRIGENDUM TO THE AMENDED
INDICTMENT ANNEXED TO THE PROSECUTION'S
MOTION FOR LEAVE TO AMEND THE INDICTMENT**

The Office of the Prosecutor:

Ms. Hildegard Uertz-Retzlaff
Mr. Ulrich Mussemeyer
Mr. Daniel Saxon

The Accused:

Vojislav Šešelj

Standby Counsel:

Mr. Tjarda Eduard van der Spoel

TRIAL CHAMBER II (“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 (“Tribunal”);

BEING SEISED of the “Corrigendum to the Amended Indictment Annexed to the Prosecution’s Motion for Leave to Amend the Indictment” filed on 3 June 2005 (“Motion”) by the Office of the Prosecutor (“Prosecution”);

NOTING that the Accused has not filed a response to the Motion within fourteen days of the filing of the Motion in accordance with Rule 126 *bis* of the Rules of Procedure and Evidence (“Rules”);

NOTING the “Decision on Prosecution’s Motion for Leave to Amend the Indictment” dated 27 May 2005 in which the Trial Chamber, *inter alia*, (i) decided that the proposed amended indictment dated 22 October 2004 (“Amended Indictment”) shall be the operative indictment against the Accused; and (ii) enjoined the Prosecution to insert clarification concerning the acronym “SČP” in what is now paragraph 33 of the Amended Indictment,¹ which reads in the relevant part:

After this speech, supporters and associates of the accused, including members of the SRS and the SČP, began a campaign of ethnic cleansing directed at non-Serbs, particularly Croats, in Hrtkovci.

CONSIDERING that the Motion states that the acronym “SČP” stands for “Srpski Četnički Pokret” in BCS, or “Serbian Chetnik Movement” in English;²

CONSIDERING that the Motion requests that paragraph 33 of the Amended Indictment be corrected to so specify the acronym “SČP”;

CONSIDERING that this would not unfairly prejudice the Accused;

PURSUANT TO Rule 50 of the Rules,

HEREBY GRANTS the Motion in part and orders:

1. The Prosecution to amend the relevant part of paragraph 33 of the Amended Indictment to read as follows:

After this speech, supporters and associates of the accused, including members of the SRS and the SČP (“Srpski Četnički Pokret” / “Serbian Chetnik Movement”), began a campaign of ethnic cleansing directed at non-Serbs, particularly Croats, in Hrtkovci.

¹ See Decision on Prosecution’s Motion for Leave to Amend the Indictment, 27 May 2005, para. 12. Paragraph 33 of the Amended Indictment was formerly paragraph 29 of the Initial Indictment dated 15 January 2003.

² Motion, para. 7.

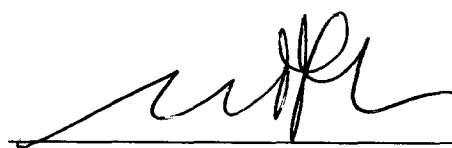
2. The Prosecution to file a modified Amended Indictment in accordance with this decision within seven (7) days of the date of this decision (“Modified Amended Indictment”); and
3. The Registrar to serve the Modified Amended Indictment to the Accused, in accordance with the relevant provisions in the Rules.

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

Dated this eighth day of July 2005,

At The Hague

The Netherlands



Judge Carmel Agius
Presiding

[Seal of the Tribunal]