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-T
		Date:	28 October 2011
		Original:	ENGLISH French

IN TRIAL CHAMBER III

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

Registrar:	**Mr John Hocking**

Decision of:	**28 October 2011**

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

DECISION ON NEW FILING OF PUBLIC REDACTED VERSION OF THE *AMICUS CURIAE* REPORT

Office of the Prosecutor

Mr Mathias Marcussen

Accused

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"),

PROPRIO MOTU

NOTING the decision rendered by the Chamber as a public document with an annex on 26 October 2011 ("Decision of 26 October 2011"),[1] in which the Chamber ordered the filing of the public redacted version of the report by the *Amicus Curiae* ("Public Redacted Version of the Report") appointed to investigate the allegations made by Vojislav Šešelj ("Accused") against the Office of the Prosecutor ("Prosecution"),[2]

CONSIDERING that the Chamber notes that a clerical error appears in the Public Redacted Version of the Report filed on 26 October 2011,

CONSIDERING, therefore, that the Chamber deems it necessary to amend the status of the Public Redacted Version of the Report filed on 26 October 2011 so that this version is no longer accessible to the public and to file, in its place, a new version enclosed in the annex to the present decision ("New Public Redacted Version of the Report"),

CONSIDERING that, taking into account this change, the Chamber orders the Prosecution and the Accused and his associates not to make mention of the Public Redacted Version of the Report filed on 26 October 2011 and to make sure they destroy any copies they may have made or transmitted to third parties,

CONSIDERING, also with respect to this change, that the Chamber orders the parties to file their written submissions on the New Public Redacted Version of the Report within 15 days of the filing of the present decision for the Prosecution and within 15 days of receipt of the translation into BCS of this New Public Redacted Version of the Report for the Accused,

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[1] "Decision on Filing of Redacted Public Version of Report from the *Amicus Curiae* Investigating Allegations by the Accused of Witness Intimidation by the Prosecution", public with public annex, 26 October 2011.
[2] *See* "Redacted Version of the Decision in Reconsideration of the Decision of 15 May 2007 on Vojislav Šešelj's Motion for Contempt Against Carla Del Ponte, Hildegard Uertz-Rezlaff and Daniel Saxon", public, 29 June 2010.

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FOR THE FOREGOING REASONS

PURSUANT TO Rule 54 of the Rules of Procedure and Evidence,

ORDERS the Registry to change the status of the Public Redacted Version of the Report filed on 26 October 2011 so that it is confidential and *ex parte* from the two parties,

ORDERS the Registry to file as a public document the New Public Redacted Version of the Report enclosed in the annex to the present Decision,

ORDERS the Prosecution and the Accused and his associates not to make mention of the Public Redacted Version of the Report filed on 26 October 2011 and to make sure that they destroy any copies they may have made or transmitted to third parties,

ORDERS the parties to file their written submissions on the New Public Redacted Version of the Report within 15 days of the filing of the present decision for the Prosecution and within 15 days of receipt of the translation into BCS of this New Public Redacted Version of the Report for the Accused,

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

/signed/
Jean-Claude Antonetti
Presiding Judge

Done this twenty-eighth day of October 2011
At The Hague
The Netherlands

[Seal of the Tribunal]