

**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: 23 April 2015
Original: English

THE PRESIDENT OF THE TRIBUNAL

Before: Judge Theodor Meron, President
Registrar: Mr. John Hocking
Decision of: 23 April 2015

PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC

**DECISION ON MOTION REFERRED TO THE PRESIDENT IN
“DECISION ON ‘MOTION TO INSTIGATE PROCEEDINGS
AGAINST CARLA DEL PONTE’”**

Office of the Prosecutor:

Mr. Mathias Marcussen

The Accused:

Vojislav Šešelj

I, THEODOR MERON, President 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 confidential “Motion to Instigate Proceedings against Carla del Ponte” filed by Mr. Vojislav Šešelj (“Šešelj”) on 16 October 2013 (“Motion”);

NOTING the confidential “Order regarding a Motion for the Initiation of Contempt Proceedings” rendered by the President of the Tribunal on 11 November 2013 (“Order”), assigning the Motion to the bench hearing the proceedings in *Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-T (“Trial Chamber”);¹

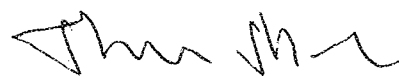
NOTING the “Decision on ‘Motion to Instigate Proceedings against Carla del Ponte’” rendered by the Trial Chamber on 16 June 2014,² declining to consider the Motion on the basis that the Trial Chamber is not competent in view of the fact that the Mechanism for International Criminal Tribunals (“Mechanism”) is responsible for the residual work of the Tribunal after 1 June 2013 and referring the Motion back to myself for appropriate action;³

CONSIDERING that the Trial Chamber found that the Motion falls outside the competence of the Tribunal;⁴

HEREBY DISMISS the Motion without prejudice to Šešelj filing a motion before the Mechanism.

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

Done this 23rd April 2015,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Tribunal]

¹ Order, p. 1.

² *Décision relative à une requête aux fins d'ouverture d'une procédure pour outrage contra Carla del Ponte*, 16 June 2014 (“Decision”). An English translation of the Decision was filed on 21 April 2015.

³ See Decision, pp. 2-3.

⁴ See Decision, pp. 2-3.