



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: 31 March 2016
Original: ENGLISH
French

IN TRIAL CHAMBER III

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

Registrar: Mr John Hocking

Decision of: 31 March 2016

THE PROSECUTOR

v.

VOJISLAV ŠEŠELJ

PUBLIC DOCUMENT

**DECISION ON ACCUSED'S COMPENSATION CLAIM ON ACCOUNT OF
GROUNDLESS DETENTION**

The Office of the Prosecutor

Mr Mathias Marcussen

The Accused

Mr 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”);

CONSIDERING that the Chamber is seized of a request from Vojislav Šešelj (“Accused”), filed on 2 July 2014 (“Request”),¹ wherein he is claiming, on the one hand, compensation in the total amount of twelve (12) million euros for his unlawful provisional detention (“First Part”)² and, on the other, seeking corrective action for a wrongful conviction (“Second Part”);³

CONSIDERING that, with respect to the First Part, the Chamber rejected all of the previous requests of this nature filed by the Accused having found that his provisional detention was lawful;⁴

CONSIDERING that, with respect to the Second Part, the Chamber notes that these allegations are premature until a judgement is delivered;

¹ Original in BCS, translated into English and entitled “Professor Vojislav Šešelj’s Compensation Claim on Account of Groundless Detention”, 2 July 2014 (“Request”)

² Request, pp. 1, 2, 5, 56.

³ Request, pp. 5, 8-9, 10, 13, 14.

⁴ *The Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-PT, “Decision on Defence Motion for Provisional Release”, 23 July 2004; *The Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-PT, “Decision on Request of the Accused for Trial Chamber II to Issue an Order for the Trial to Commence by 24 February 2006 or an Order to Abolish Detention, Dismiss the Indictment and Release Dr Vojislav Šešelj (Submission Number 16)”, 13 December 2005; “Decision on Oral Request of the Accused for Abuse of Process”, 10 February 2010; “Decision on Motion by Accused to Discontinue Proceedings”, 29 September 2011; “Decision on Oral Request of the Accused for Abuse of Process”, 10 February 2012; “Decision on the Accused Vojislav Šešelj’s Request for Provisional Release”, 23 March 2012; “Decision on Continuation of Proceedings”, 13 December 2013; “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. Provisional detention was ordered by virtue of an order issued by the Tribunal following the confirmation of the Indictment, see *The Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-I, “Confirmation of Indictment and Order for the Warrant for Arrest and Surrender”, 14 February 2003, p. 3; *The Prosecutor v. Vojislav Šešelj*, Case No. IT-03-67-I, “Order for Detention on Remand”, 26 February 2003.

For the foregoing reasons

REJECTS the Request in its entirety.

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

 /signed/
Jean-Claude Antonetti
Presiding Judge

Done this thirty-first day of March 2016
At The Hague
The Netherlands

[Seal of the Tribunal]