

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case No.: MICT-23-129-Misc.1

Date: 11 March 2025

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Graciela Gatti Santana

Registrar: Mr. Abubacarr M. Tambadou

Date: 11 March 2025

**IN THE MATTER OF VOJISLAV ŠEŠELJ, MILJAN DAMJANOVIĆ,
MIROLJUB IGNJATOVIĆ, LJILJANA MIHAJLOVIĆ, AND
OGNJEN MIHAJLOVIĆ**

PUBLIC REDACTED

**PUBLIC REDACTED VERSION OF “THIRD MONITORING
REPORT” DATED 20 FEBRUARY 2025**

Monitor

Mr. Brent D. Hicks

I. INTRODUCTION

1. On 11 August 2023, an indictment was confirmed against Mr. Vojislav Šešelj, Mr. Miljan Damjanović, Mr. Miroljub Ignjatović, Ms. Ljiljana Mihajlović, and Mr. Ognjen Mihajlović (“Accused”), for contempt of the International Criminal Tribunal for the former Yugoslavia (“ICTY”) and the International Residual Mechanism for Criminal Tribunals (“Mechanism”), pursuant to Article 1(4)(a) of the Statute of the Mechanism and Rule 90 of the Rules of Procedure and Evidence of the Mechanism (“Indictment”).¹
2. Pursuant to my appointment as a Monitor in the *Šešelj et al.* case,² and recalling the applicable Terms of Reference for this role,³ I respectfully submit this Third Monitoring Report to the President, through the Registrar. This Third Monitoring Report covers a period of two months, following the filing of my second monitoring report dated 20 December 2024⁴ until the date hereof. In light of the current status of the referred case, alongside the fact that I was unable to secure any in-person meetings (*i.e.*, due to the holiday season), I did not undertake a mission to the Republic of Serbia (“Serbia”).

II. PROCEDURAL HISTORY

3. The First Report outlined the relevant procedural history of this case, from the Indictment of the Accused through the referral of this proceeding to Serbia,⁵ up until 20 November

¹ *Prosecutor v. Vojislav Šešelj, Miljan Damjanović, Miroljub Ignjatović, Ljiljana Mihajlović, and Ognjen Mihajlović*, Case No. MICT-23-129-I (“*Šešelj et al.*”), Decision on Confirmation of Indictment, confidential and *ex parte*, 11 August 2023 (“Confirmation Decision”), p. 2. The Indictment and the public redacted version thereof were filed on 15 August 2023 and were both placed under seal pursuant to an instruction contained in the Confirmation Decision. The Confirmation Decision and the public redacted version of the Indictment were subsequently made public pursuant to a decision issued on 5 October 2023. See, *Šešelj et al.*, Decision on Prosecution Request to Unseal Public Redacted Version of Indictment and Other Matters, 5 October 2023, p. 2. See also, *Šešelj et al.*, Indictment [public redacted], 5 October 2023.

² *In the Matter of Vojislav Šešelj, Miljan Damjanović, Miroljub Ignjatović, Ljiljana Mihajlović, and Ognjen Mihajlović*, Case No. MICT-23-129-I, Order Appointing a Monitor, public, 9 October 2024.

³ The Terms of Reference were agreed upon by an exchange of memoranda between the Registrar and the President, concluded on 4 October 2024. An amendment thereto was implemented on 15 January 2025, such that the reporting regime is bi-monthly until the start of proceedings, unless an important development warrants an earlier report.

⁴ *In the Matter of Vojislav Šešelj, Miljan Damjanović, Miroljub Ignjatović, Ljiljana Mihajlović, and Ognjen Mihajlović*, Case No. MICT-23-129-Misc.1, Second Monitoring Report, confidential, dated 20 December 2024, filed 6 January 2025 (“Second Report”). See also, *In the Matter of Vojislav Šešelj, Miljan Damjanović, Miroljub Ignjatović, Ljiljana Mihajlović, and Ognjen Mihajlović*, Case No. MICT-23-129-Misc.1, First Monitoring Report, confidential, dated 20 November 2024, filed 10 December 2024 (“First Report”).

⁵ *Šešelj et al.*, Decision on Referral of the Case to the Republic of Serbia, public, 29 February 2024.

2024.⁶ The Second Report covered the period of 20 November 2024 through 20 December 2024.⁷

4. As was conveyed in the Second Report, it is recalled that – on 12 December 2024 – the Mechanism’s Office of the Prosecutor (“Prosecution”) filed a notice of compliance confirming that it had transferred all appropriate evidence and information relating to the referred case to the Public Prosecutor’s Office for War Crimes (“Prosecutor’s Office of Serbia”).⁸ Simultaneously, the Prosecution advised the Single Judge of its intent to meet with the Prosecutor’s Office of Serbia – at the end of January 2025 or in February 2025 – to provide an introduction to the transferred material and to answer any related questions.⁹
5. On 6 January 2025, the Second Report was filed.¹⁰
6. On 23 January 2025, a Mechanism Single Judge issued the “Public Redacted Version of ‘Decision on Prosecution Request Concerning Protected Witnesses and on Access to Case Records’ Dated 2 September 2024”.¹¹

III.REPORT

7. At this time, and as was communicated in the Second Report, I am still attempting to clarify whether [REDACTED], now that it has received all information relating to this case from the Prosecution. As of the filing of this Third Report, I have received very limited information in response to my inquiries to the Prosecutor’s Office of Serbia. More specifically, I contacted the Prosecutor’s Office of Serbia *via* e-mail on 28 November 2024, 17 December 2024, 9 January 2025, and 21 January 2025.¹² On 24 January 2025,

⁶ See, First Report, Section II.

⁷ See, Second Report, Section II.

⁸ See, Second Report, para. 10. See also, *Šešelj et al.*, Prosecution Notice of Compliance with Order for Transfer of Evidence and Information, confidential and *ex parte*, 12 December 2024 (“Prosecution’s Handover Notice”). The Prosecution’s Handover Notice, at paragraph 17, confirmed that all of the Court Records were provided to the Prosecutor’s Office of Serbia on 10 December 2024, while the material contained 1,579 files and 512 gigabytes of data.

⁹ Prosecution’s Handover Notice, para. 18. See also, Second Report, para. 17.

¹⁰ See, Second Report.

¹¹ *Šešelj et al.*, Public Redacted Version of “Decision on Prosecution Request Concerning Protected Witnesses and on Access to Case Records” Dated 2 September 2024, public redacted, 23 January 2025.

¹² On 28 November 2024, I inquired about the possibility of a meeting in early or mid-January 2025, referring to a potential video-conference discussion in lieu of an in-person meeting, if that would be preferable. On 17 December 2024, I inquired about the possibility of a meeting in early February 2025, whether with the Acting Chief or a delegated representative of his Office. Simultaneously, I asked the Acting Chief if he could clarify the intended procedure, with respect to the anticipated submission of an indictment in the *Šešelj et al.* case before the Higher Court in Belgrade. On 9 January 2025, I asked if a videoconference could be organized in late January or early-February 2025, reiterating that I wanted to clarify the anticipated procedure for submission of an

the Prosecutor's Office of Serbia confirmed receipt of the relevant material from the Prosecution, stated that a review thereof was underway, and advised that a decision would be made on further action – in accordance with relevant regulations – after the review was complete. On 28 January 2025, I thanked the Prosecutor's Office of Serbia for the reply, and requested a brief meeting for a status update on either 5 or 6 March 2025 (*i.e.*, days when I would potentially travel to Belgrade on mission). On 13 February 2025, I reiterated my request for a status update to the Prosecutor's Office of Serbia, suggesting that I would welcome a related videoconference in early March 2025.¹³

8. In this context, and further to the Prosecution's expressed intention to meet with the Prosecutor's Office of Serbia to discuss the information related to the domestic prosecution of the referred *Šešelj et al.* case,¹⁴ I was advised by the Prosecution, on 8 January 2025, that the anticipated meeting had not yet been scheduled. I again liaised with the Prosecution on 21 January 2025 and 10 February 2025, and was informed that the anticipated meeting with the Prosecutor's Office of Serbia remains to be scheduled.
9. As is evident from the foregoing, the most relevant Serbian interlocutor – the Acting Chief of the Prosecutor's Office of Serbia – has been unavailable in recent weeks, providing only limited responses to inquiries. As I do not have any meetings scheduled in Belgrade at this time, I am necessarily deferring my next mission until I consider that I can make some meaningful progress in the monitoring effort by engaging directly with the Prosecutor's Office of Serbia. Nonetheless, I will continue to pursue relevant updates remotely. Finally, and per the amended Terms of Reference, I will offer bi-monthly reports until the start of proceedings in referred case, unless an important development warrants an earlier submission.¹⁵

indictment before the Higher Court in Belgrade. On 21 January 2025, I referred to my pending inquiries and indicated that I looked forward to a reply.

¹³ With no substantive in-person meeting scheduled in Belgrade in early March 2025, it was not prudent to schedule travel which would be unfruitful. For this reason, I suggested the possibility of a video-conference meeting in early March 2025, while my next in-person mission will necessarily be deferred.

¹⁴ See para. 4 above.

¹⁵ See footnote 3 above.

IV. CONCLUSION

10. I remain available to provide any additional information at the President's direction.

Respectfully submitted,



Brent D. Hicks
Monitor

Done this 11th day of March 2025,
At The Hague,
The Netherlands.



I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	<input type="checkbox"/> IRMCT Registry/ Greffe du MIFRTP	<input type="checkbox"/> Arusha/ Arusha	<input checked="" type="checkbox"/> The Hague/ La Haye			
From/ De :	<input type="checkbox"/> President/ Président	<input type="checkbox"/> Chambers/ Chambre	<input type="checkbox"/> Prosecution/ Bureau du Procureur	<input type="checkbox"/> Defence/ Défense	<input type="checkbox"/> Registrar/ Greffier	<input checked="" type="checkbox"/> Other/ Autre
Case Name/ Affaire :	In the Matter of Šešelj et al.		Case Number/ Affaire n° :	MICT-23-129-Misc.1		
Date Created/ Daté du :	11 March 2025	Date transmitted/ Transmis le :	12 March 2025	Number of Pages/ Nombre de pages :	5	
Original Language/ Langue de l'original :	<input checked="" type="checkbox"/> English/ Anglais	<input type="checkbox"/> French/ Français	<input type="checkbox"/> Kinyarwanda	<input type="checkbox"/> B/C/S	<input type="checkbox"/> Other/Autre (specify/ préciser):	
Title of Document/ Titre du document :	Public Redacted Version of "Third Monitoring Report" Dated 20 February 2025					
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Public/ Document public	<input type="checkbox"/> Confidential/ Confidentiel	<input type="checkbox"/> Ex Parte Defence excluded/ Défense exclue	<input type="checkbox"/> Ex Parte Prosecution excluded/ Bureau du Procureur exclu	<input type="checkbox"/> Ex Parte Rule 86 applicant excluded/ Article 86 requérant exclu	<input type="checkbox"/> Ex Parte Amicus Curiae excluded/ Amicus curiae exclu
Document type/ Type de document :	<input type="checkbox"/> Motion/ Requête	<input type="checkbox"/> Judgement/ Jugement/Arrêt	<input type="checkbox"/> Book of Authorities/ Recueil de sources	<input type="checkbox"/> Warrant/ Mandat	<input type="checkbox"/> Order/ Ordonnance	<input type="checkbox"/> Submission from parties/ Écritures déposées par des parties
	<input type="checkbox"/> Decision/ Décision	<input type="checkbox"/> Submission from non-parties/ Écritures déposées par des tiers	<input type="checkbox"/> Affidavit/ Déclaration sous serment	<input type="checkbox"/> Notice of Appeal/ Acte d'appel	<input type="checkbox"/> Indictment/ Acte d'accusation	

II - TRANSLATION STATUS ON THE FILING DATE/ ÉTAT DE LA TRADUCTION AU JOUR DU DÉPÔT

<input type="checkbox"/> Translation not required/ La traduction n'est pas requise
<input checked="" type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction : (Word version of the document is attached/ La version Word du document est jointe)
<input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input checked="" type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser):
<input type="checkbox"/> Filing Party hereby submits both the original and the translated version for filing, as follows/ La partie déposante soumet l'original et la version traduite aux fins de dépôt, comme suit :
Original/ Original en : <input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/ préciser):
Traduction/ Traduction en : <input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/ préciser):
<input type="checkbox"/> Filing Party will be submitting the translated version(s) in due course in the following language(s)/ La partie déposante soumettra la (les) version(s) traduite(s) sous peu, dans la (les) langue(s) suivante(s):
<input type="checkbox"/> English/ Anglais <input type="checkbox"/> French/ Français <input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/Autre (specify/préciser):