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UNITED
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Mechanism for International Criminal Tribunals

Case No.: MICT-14-83

Date: 9 May 2016

Original: English

BEFORE A SINGLE JUDGE

Before: Judge Lee G. Muthoga

Registrar: Mr. John Hocking

Decision of: 9 May 2016

PROSECUTOR

v.

STANISLAV GALIĆ

PUBLIC

DECISION ON APPLICATION FOR ACCESS

Office of the Prosecutor:

Mr. Serge Brammertz

Counsel for Mr. Stanislav Galić

Mr. Stéphane Piletta-Zanin
Ms. Anna Oehmichen
Ms. Delphine Hottelier



I, LEE G. MUTHOGA, Judge of the International Residual Mechanism for Criminal Tribunals ("Mechanism") and Single Judge in this case;¹

BEING SEISED OF an application filed on 19 April 2016, in which Mr. Stanislav Galić seeks access to confidential *inter partes* material in the case of *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-T ("*Mladić case*");²

NOTING the Prosecution's response filed on 29 April 2016;³

CONSIDERING Articles 1(1) and 5(1) of the Transitional Arrangements annexed to the Mechanism's Statute;⁴

CONSIDERING Rule 86(G)(i) of the Mechanism's Rules of Procedure and Evidence, which provides that a party to the second proceedings seeking to rescind, vary, or augment protective measures ordered in the first proceedings must apply to any Chamber, however, constituted, remaining seised of the first proceedings;

NOTING that Mr. Galić also filed the Application in the *Mladić case*, which are the first proceedings and currently pending before Trial Chamber I of the International Criminal Tribunal for the former Yugoslavia ("ICTY");⁵

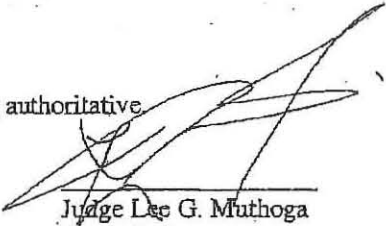
FINDING that, in view of these circumstances, I lack jurisdiction over the Application;

FOR THE FOREGOING REASONS

HEREBY DISMISS the Application.

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

Done this 9th day of May 2016,
At The Hague,
The Netherlands


Judge Lee G. Muthoga
Single Judge

[Seal of the Mechanism]

¹ Order Assigning a Single Judge to Consider an Application, 4 May 2016, p. 1.

² *Requête du Général Stanislav Galić aux fins d'accès à des documents confidentiels dans l'affaire Ratko Mladić*, 19 April 2016 ("Application"), paras. I.1, I.2, IV.5.

³ Prosecution Response to «*Requête du Général Stanislav Galić aux fins d'accès à des documents confidentiels dans l'affaire Ratko Mladić*», 29 April 2016.

⁴ See U.N. Security Council Resolution 1966, U.N. Doc. S/RES/1966 (2010), 22 December 2010, Annex 2.

⁵ See *Prosecutor v. Ratko Mladić*, Case No. IT-09-92-I. Order Assigning Judges to a Case Before a Trial Chamber, 27 May 2011, p. 3.

