

**UNITED
NATIONS**



International Residual Mechanism
for Criminal Tribunals

Case Nos.: MICT-14-65-ES
IT-09-92-T

Date: 6 June 2018

Original: English

THE PRESIDENT OF THE MECHANISM

Before: Judge Theodor Meron, President

Registrar: Mr. Olufemi Elias

Decision of: 6 June 2018

PROSECUTOR

v.

MOMIR NIKOLIĆ

PUBLIC

**PUBLIC REDACTED VERSION OF THE 27 JANUARY 2017
DECISION ON RATKO MLADIĆ'S REQUESTS FOR LEAVE
TO REPLY AND RECONSIDERATION OR,
ALTERNATIVELY, CERTIFICATION OR
DISQUALIFICATION**

The Office of the Prosecutor

Mr. Serge Brammertz
Mr. Mathias Marcussen

Counsel for Mr. Ratko Mladić

Mr. Branko Lukić
Mr. Miodrag Stojanović

Mr. Momir Nikolić

1. I, Theodor Meron, President of the International Residual Mechanism for Criminal Tribunals (“President” and “Mechanism”, respectively), am seized of the confidential “Defence Request for Leave to Reply to Defence Request for Access to Confidential Materials from *Momir Nikolic* Case” filed by Ratko Mladić (“Mladić”) on 9 September 2016 (“First Request for Leave to Reply”). On the same day, Mladić filed the confidential “Defence’s Reply in Support of Defence Request for Access to Confidential Materials from *Momir Nikolic* Case” (“Reply”).

2. I am further seized of the confidential “Defence Request for Reconsideration for the Request to Access to Confidential Materials from *Momir Nikolic* Case or in the Alternative for the Matter to be Transferred to a Panel of Judges under Rule 18(B)” filed by Mladić on 16 September 2016 (“Request for Reconsideration”). On 26 September 2016, the Office of the Prosecutor of the Mechanism (“Prosecution”) filed the “Prosecution’s Response to Defence Request for Reconsideration of Request for Access to Confidential Materials from *Momir Nikolic* Case or for the Matter to be Transferred to a Panel of Judges” (“Response”) with a confidential and *ex parte* (Mladić) annex.

3. Lastly, I am seized of the confidential “Defence Request for Leave to Reply to Defence Request for Reconsideration for the Request to Access to Confidential Materials from *Momir Nikolic* Case or in the Alternative for the Matter to be Transferred to a Panel of Judges under Rule 18(B)” filed by Mladić on 29 September 2016 (“Second Request for Leave to Reply”). On the same day, Mladić filed the confidential “Defence’s Reply in Support of Defence Request for Reconsideration for the Request to Access to Confidential Materials from *Momir Nikolic* Case or in the Alternative for the Matter to be Transferred to a Panel of Judges under Rule 18(B)” (“Reply in Support of Reconsideration”). On 3 October 2016, the Prosecution filed the confidential “Prosecution’s Response to Defence Request for Leave to Reply to Defence Request for Reconsideration of the Request for Access to Confidential Materials” (“Response to Second Request for Leave to Reply”).

I. BACKGROUND

4. On 29 August 2016, Mladić filed a motion requesting access to confidential, *inter partes* material in the case of *Prosecutor v. Momir Nikolić*, Case No. MICT-14-65-ES (“*Nikolić* Enforcement Proceedings”), including: (i) a version of the “Public Redacted Version of the 14 March 2014 Decision on Early Release of Momir Nikolić” filed on 12 October 2015 in the *Nikolić* Enforcement Proceedings (“Decision on Nikolić’s Early Release”) that is confidential, but unredacted; (ii) any filings made by the Prosecution or by Momir Nikolić (“Nikolić”) in relation to Nikolić’s early release; and (iii) more generally, “any other confidential filings made before the

[President] by the parties in the [Nikolić Enforcement Proceedings] of which [Mladić] may not be aware”.¹ On 2 September 2016, the Prosecution responded, *inter alia*, that it had already disclosed to Mladić the Prosecution’s memorandum detailing Nikolić’s cooperation with the Prosecution.²

5. On 9 September 2016, I rendered a decision denying the Request for Access on the basis that, *inter alia*, Mladić had not set out sufficient arguments or evidence to demonstrate that an unredacted version of the Decision on Nikolić’s Early Release and any other material related to the *Nikolić Enforcement Proceedings* could provide material assistance to Mladić’s case.³ On the same day, Mladić filed the First Request for Leave to Reply and the Reply.

II. DISCUSSION

6. I note at the outset that the Request for Reconsideration is based, in part, on the contention that the Decision on Request for Access failed to take into consideration the Reply.⁴ A consideration of the merits of the Request for Reconsideration will therefore necessarily turn on an analysis of the merits of Mladić’s underlying contentions in the First Request for Leave to Reply and I will consider these two motions together.

A. Submissions

7. In the Request for Reconsideration, Mladić first submits that the Decision on Request for Access was taken in violation of the Rules of Procedure and Evidence of the Mechanism (“Mechanism Rules”), since it was rendered before the expiry of the deadline provided in Rule 153(A) of the Mechanism Rules for the filing of a reply.⁵ Second, Mladić contends that the Decision on Request for Access should have taken into account the arguments contained in the Reply.⁶ Accordingly, Mladić seeks reconsideration of the Decision on Request for Access,⁷ or, in the alternative, that he be granted certification to appeal the Decision on Request for Access on the basis of Rules 80(B) and 132 of the Mechanism Rules.⁸ As an additional alternative, Mladić seeks my disqualification on the basis of certain statements made in 2003 and the fact that the Decision on

¹ Defence Request for Access to Confidential Materials from Momir Nikolic Case, 29 August 2016 (confidential) (“Request for Access”), paras. 4, 14.

² Prosecution’s Response to Defence Request for Access to Confidential Materials from *Momir Nikolić Case*, 2 September 2016 (confidential).

³ Decision on Request for Access to Confidential Materials from Momir Nikolić Case, 9 September 2016 (confidential) (“Decision on Request for Access”), p. 3.

⁴ See Request for Reconsideration, paras. 12-13.

⁵ Request for Reconsideration, paras. 12-13.

⁶ See Request for Reconsideration, para. 12. See also Request for Reconsideration, paras. 6-7, 14.

⁷ Request for Reconsideration, paras. 1, 3, 16, 26.

⁸ Request for Reconsideration, paras. 3, 17-23, 26.

Request for Access did not take into account the Reply, therefore “potentially showing [my] bias and lack of impartiality”.⁹

8. The Prosecution agrees that the Decision on Request for Access should be reconsidered, “in the interests of justice, because [Mladić’s] timely request for leave to reply was not considered”.¹⁰ The Prosecution does not respond to Mladić’s alternative request for certification of the Decision on Request for Access, or the further alternative request for my disqualification.¹¹

9. In the First Request for Leave to Reply, Mladić requests leave to reply pursuant to Rule 126bis of the Rules of Procedure and Evidence of the International Criminal Tribunal for the former Yugoslavia (“ICTY Rules” and “ICTY”, respectively) on the basis that a reply is “necessary to deal with relevant jurisprudence and facts which are misapprehended and either not mentioned or not presented accurately in full” by the Prosecution.¹² The Prosecution did not respond to the First Request for Leave to Reply.

10. In the Reply, Mladić first contends that information regarding the health of a witness, especially a mental health report, is relevant for the preparation of his case, given that this information may be relevant to matters related to the credibility of Nikolić, who was a witness in Mladić’s case.¹³ Mladić, relying on a decision in the *Furundžija* case, contends that ICTY jurisprudence confirms that medical reports have the potential to affect the credibility of Prosecution evidence.¹⁴ Mladić further asserts that relevant examples from the United States and the United Kingdom, as well as academic literature, also demonstrate that behavioural disorders can significantly undermine a witness’s credibility.¹⁵

11. Second, Mladić submits that information [REDACTED], including submissions by the parties, and my assessment in relation to this information when coming to a decision on Nikolić’s early release, are “critically important” to Mladić’s case.¹⁶ Lastly, Mladić asserts that he has been unable to locate the information allegedly disclosed to him by the Prosecution [REDACTED], and contends in this regard that the Prosecution “is silent as to the date or manner of disclosure”.¹⁷

12. The Prosecution responds that it does not oppose granting Mladić access to the Decision on Nikolić’s Early Release, provided that certain redactions in relation to Nikolić[REDACTED]

⁹ Request for Reconsideration, paras. 24-26.

¹⁰ Response, para. 1 (internal citations omitted).

¹¹ See generally Response.

¹² First Request for Leave to Reply, para. 3. See also First Request for Leave to Reply, paras. 2, 4.

¹³ Reply, para. 6, citing *Prosecutor v. Anto Furundžija*, Case No. IT-95-17/1-T, Decision, 16 July 1998 (“*Furundžija* Decision”). See also Reply, paras. 4-5, 7; Reply in Support of Reconsideration, paras. 6-10.

¹⁴ Reply, para. 6, citing *Furundžija* Decision, para. 17.

¹⁵ Reply, para. 7.

¹⁶ Reply, para. 7.

remain unchanged.¹⁸ Second, the Prosecution contends that the information regarding Nikolić[REDACTED] is not relevant to his credibility as a witness in the case against Mladić.¹⁹ In this regard, the Prosecution contends, *inter alia*, that Mladić's arguments with respect to his request for access to information related to Nikolić's health find no support in ICTY jurisprudence,²⁰ and that the *Furundžija* Decision, upon which Mladić relies, is distinguishable from the present situation.²¹ Lastly, the Prosecution submits that it disclosed to Mladić the memorandum [REDACTED] on 1 November 2013, and that it was specifically flagged at the time as a disclosure pursuant to Rule 68 of the ICTY Rules.²²

13. Mladić's Second Request for Leave to Reply is made pursuant to Rule 126*bis* of the ICTY Rules.²³ He submits that a reply is "necessary to deal with relevant jurisprudence and facts which are misapprehended and either not mentioned or not presented accurately in full" by the Prosecution.²⁴

14. The Prosecution does not oppose the Second Request for Leave to Reply.²⁵

B. Discussion

15. I recall that reconsideration of a decision is permitted where, *inter alia*, the impugned decision presents a clear error of reasoning or particular circumstances justify its reconsideration in order to avoid injustice.²⁶

16. I note at the outset that the Decision on Request for Access was based on my consideration of the submissions set forth in the Request for Access and the Prosecution's response thereto.²⁷ On the basis of these submissions alone, I considered that Mladić had not set out sufficient argument or evidence to demonstrate that the material he requested could provide material assistance to his case.²⁸ I further note that following the filing of the Decision on Request for Access, Mladić filed the Reply, which I had not anticipated given the silence of the Mechanism Rules on the right to

¹⁷ Reply, para. 9.

¹⁸ Response, para. 1. The Prosecution further submits that Mladić improperly advanced new arguments and authorities in the Reply "in an attempt to support his request for access [REDACTED]", however, the Prosecution "suggests that this matter be adjudicated on its merits in the interests of justice". Response, para. 3.

¹⁹ Response, paras. 1, 5-8, and confidential and *ex parte* (Mladić) Annex. *See also* Response to Second Request for Leave to Reply, para. 1.

²⁰ Response, para. 4.

²¹ Response, paras. 6-8.

²² Response, para. 9.

²³ *See* Second Request for Leave to Reply, paras. 2, 4.

²⁴ Second Request for Leave to Reply, para. 3. *See also* Second Request for Leave to Reply, para. 2.

²⁵ Response to Second Request for Leave to Reply, para. 1.

²⁶ *Prosecutor v. Dragomir Milošević*, Case No. IT-98-29/1-A, Decision on Motion for Reconsideration, 12 July 2012, p. 1.

²⁷ *See generally* Decision on Request for Access.

²⁸ Decision on Request for Access, p. 3.

reply with respect to proceedings before the President. Despite this silence in the Mechanism Rules, the Prosecution agrees that the Decision on Request for Access should be reconsidered, so as to allow for a full consideration of the merits of the Reply.²⁹ Accordingly, and as explained in further detail below, I am persuaded that the Decision on Request for Access should be reconsidered to allow for the consideration of, *inter alia*, the merits of the Reply.

1. Right to reply in proceedings before the President

17. Mladić filed both the First Request for Leave to Reply and the Second Request for Leave to Reply pursuant to Rule 126*bis* of the ICTY Rules,³⁰ which provides in relevant part that unless otherwise ordered by a Chamber either generally or in the specific case, a reply to a response, if any, “shall be filed within seven days of the filing of the response, with the leave of the relevant Chamber”. I note, however, that the Mechanism Rules, not the ICTY Rules, apply to procedural matters before the Mechanism.

18. There is no direct equivalent to Rule 126*bis* of the ICTY Rules at the Mechanism. Rule 153(A) of the Mechanism Rules, which is most similar to Rule 126*bis* of the ICTY Rules, provides in relevant part in respect of trial proceedings that unless otherwise ordered by a Chamber or a Single Judge, a reply shall be filed within seven days of the filing of the response.³¹ By its own terms, however, Rule 153(A) of the Mechanism Rules governs the filing of motions during trial proceedings, rather than proceedings before the President. Although the Mechanism Rules are otherwise silent on the filing of replies in the context of proceedings before the President, other Mechanism Rules applicable to trial and/or appeal proceedings have been found to apply *mutatis mutandis* to proceedings before the President.³² I consider that Rule 153(A) of the Mechanism Rules should likewise be applied *mutatis mutandis* to proceedings before the President. Accordingly, I hereby grant the First Request for Leave to Reply, as well as the Second Request for Leave to Reply, and I will proceed to consider the merits of the Request for Access.

²⁹ See Response, para. 1.

³⁰ See Second Request for Leave to Reply, paras. 2, 4.

³¹ By contrast, Rule 153(B) of the Mechanism Rules provides in relevant part that in the context of appeal from judgement proceedings, a reply shall be filed within four days of the filing of the response.

³² See, e.g., *Prosecutor v. Drago Nikolić*, Case No. MICT-15-85-ES.4, Public Redacted Version of the 20 July 2015 Decision of the President on the Application for Early Release or Other Relief of Drago Nikolić, 13 October 2015, paras. 38-39 (finding that in the absence of specific Mechanism Rules regarding the provisional release of a convicted person awaiting transfer to an enforcement State, Rule 68 of the Mechanism Rules could be applied to the particular circumstances of Drago Nikolić’s case); *Prosecutor v. Milan Lukić*, Case No. MICT-13-52-ES.1, Decision on Milan Lukić’s Motion Pursuant to Rule 154 to Enlarge the Time Limit for Filing of the Reply Brief, 10 April 2015, p. 1 (holding that although Rule 154(A) of the Mechanism Rules refers to a Chamber of the Mechanism, its provisions apply *mutatis mutandis* to motions filed before the President).

2. Mladić's request for access confidential, *inter partes* material

19. I recall that a party is entitled to seek material from any source, including from cases before, *inter alia*, the Mechanism, to assist in the preparation of its case, and that, where a party requests access to confidential material from another case, such material must be identified or described by its general nature, and a legitimate forensic purpose must be demonstrated.³³ I further recall that consideration must be given to the relevance of the material sought, which may be demonstrated by showing the existence of a nexus between the requesting party's case, and the case from which such material is sought.³⁴ The requesting party must establish that this material is likely to assist its case materially, or that there is at least a good chance that it would.³⁵ Lastly, I recall that unless a legitimate forensic purpose can be demonstrated, no access should be granted to, *inter alia*, material related to the enforcement of sentences.³⁶

20. I further recall that at issue is Mladić's request for the following confidential, *inter partes* material: (i) the confidential, unredacted version of the Decision on Nikolić's Early Release; (ii) any filings made by the Prosecution or by Nikolić in relation to Nikolić's early release; and (iii) more generally, "any other confidential filings made before the [President] by the parties in the [Nikolić Enforcement Proceedings] of which [Mladić] may not be aware".³⁷ I am of the view that Mladić has sufficiently identified the material sought, and I will proceed to consider whether he has demonstrated a legitimate forensic purpose with respect to confidential, *inter partes* material from the *Nikolić* Enforcement Proceedings.

21. First, with respect to Mladić's request for access to an unredacted version of the Decision on Nikolić's Early Release,³⁸ I note that redactions appear in the sections of the Decision on Nikolić's Early Release addressing other humanitarian concerns raised by Nikolić in relation to his request for early release, Nikolić's rehabilitation, and Nikolić's cooperation with the Office of the Prosecutor of the ICTY.³⁹

22. With respect to the redactions contained in the sections of the Decision on Nikolić's Early Release regarding other humanitarian concerns and Nikolić's rehabilitation, I note that this redacted

³³ See Decision on Request for Access, p. 2. See also *Prosecutor v. Radovan Karadžić*, Case Nos. MICT-13-55-A & MICT-15-96-PT, Decision on Stanišić's Request for Access to Confidential Materials in the *Karadžić* Appeal Proceedings, 28 September 2016 ("Karadžić Decision of 28 September 2016"), p. 2; *Prosecutor v. Radovan Karadžić*, Case No. IT-95-5/18-T, Decision on Motion for Access to Confidential Filings and Decisions in Enforcement Proceedings, 17 April 2012 ("Karadžić Decision of 17 April 2012"), p. 2.

³⁴ Decision on Request for Access, p. 2. See also *Karadžić* Decision of 28 September 2016, p. 2; *Karadžić* Decision of 17 April 2012, p. 2.

³⁵ See Decision on Request for Access, p. 2; *Karadžić* Decision of 28 September 2016, p. 2.

³⁶ Cf. *Karadžić* Decision of 28 September 2016, p. 4.

³⁷ See Request for Access, paras. 4, 14.

³⁸ See Request for Access, paras. 4, 14.

³⁹ See Decision on Nikolić's Early Release, paras. 22, 26-35.

information was obtained by the Registry of the Mechanism (“Registry”) in the course of enforcement proceedings and addresses materials requested from the relevant enforcement State in accordance with paragraph 4(b) of the Practice Direction on the Procedure for the Determination of Applications for Pardon, Commutation of Sentence, and Early Release of Persons Convicted by the ICTR, the ICTY or the Mechanism (“Practice Direction”)⁴⁰ in relation to Nikolić’s behaviour and his mental condition while incarcerated in that enforcement State.

23. I recall that the *Nikolić* Enforcement Proceedings were pending while Nikolić testified as a witness in the case against Mladić.⁴¹ In this respect, I consider that a temporal nexus has been established between the *Nikolić* Enforcement Proceedings and the case against Mladić. I further recall that while reference is made to a “Mental Health Report”,⁴² the Decision on Nikolić’s Early Release does not reveal the content or the nature of the information contained in this report, received from the enforcement State in accordance with the Practice Direction.⁴³ However, Mladić appears to understand from the Prosecution’s Response that the nature of the redacted information in this section relates to issues [REDACTED].⁴⁴ I note in this regard that Mladić replied that the Prosecution Response seems to indicate this information relates to [REDACTED].⁴⁵

24. In light of the foregoing, and considering the contents of the redacted information in the Decision on Nikolić’s Early Release to which access is sought, I am now persuaded that information related to [REDACTED] Nikolic may well be relevant to Mladić’s case. Accordingly, I am satisfied that Mladić has established a legitimate forensic purpose with respect to those portions of the confidential, unredacted version of the Decision on Nikolić’s Early Release and, as such, that he has demonstrated that access to the confidential version of this decision is likely to materially assist in the preparation of his case, or, that there is at least a good chance that it would.

25. Turning to the redactions in the section of the Decision on Nikolić’s Early Release concerning Nikolić’s cooperation, [REDACTED].⁴⁶ [REDACTED]. Accordingly, I find that Mladić has not demonstrated a legitimate forensic purpose to being granted access to the confidential version of the Decision on Nikolić’s Early Release in this respect. However, in light of my findings above, and considering that the Prosecution does not oppose providing Mladić with the confidential,

⁴⁰ MICT/3, 5 July 2012.

⁴¹ See Decision on Nikolić’s Early Release, para. 1.

⁴² See Decision on Nikolić’s Early Release, para. 5.

⁴³ See Decision on Nikolić’s Early Release, paras. 22, 30.

⁴⁴ See Reply in Support of Reconsideration, para. 10. See also Reply in Support of Reconsideration, para. 13.

⁴⁵ See Reply in Support of Reconsideration, para. 10.

⁴⁶ See Decision on Request for Access, pp. 2-3. See also Response, para. 9. [REDACTED].

unredacted information [REDACTED],⁴⁷ I am of the view that Mladić should be granted access to this redacted information.

26. Turning to Mladić's request for filings from either the Prosecution or Nikolić in relation to Nikolić's early release, I recall that the Prosecution has already disclosed to Mladić its confidential, *inter partes* memorandum [REDACTED].⁴⁸ I note that material submitted by Nikolić in the context of the *Nikolić* Enforcement Proceedings was provided on an *ex parte* basis, and thus falls outside the scope of Mladić's request.⁴⁹

27. Lastly, with respect to Mladić's broader request for access to any other confidential, *inter partes* material related to the *Nikolić* Enforcement Proceedings, I note that I received the remainder of the material in the *Nikolić* Enforcement Proceedings in accordance with the Practice Direction on a confidential basis and as *ex parte* material.⁵⁰ Accordingly, this *ex parte* material does not fall within the scope of Mladić's request.⁵¹

28. Having carefully reviewed the totality of the submissions before me, I therefore consider that Mladić has set out sufficient evidence to demonstrate that a confidential, unredacted version of the Decision on Nikolić's Early Release is likely to provide material assistance to his case.⁵² However, Mladić has not demonstrated that he has a legitimate forensic purpose in seeking access to any other material relating to the *Nikolić* Enforcement Proceedings.⁵³

III. CONCLUSION

29. For the foregoing reasons, I hereby:

GRANT the First Request for Leave to Reply, the Request for Reconsideration, **in part**, and the Second Request for Leave to Reply, and accordingly append the confidential, unredacted version of the Decision on Nikolić's Early Release hereto as Annex I;

⁴⁷ Response, para. 1.

⁴⁸ See Response, para. 9. See also Practice Direction, para. 8.

⁴⁹ See *supra*, para. 20. Cf. *Prosecutor v. Radovan Karadžić*, Case No. MICT-13-55-A, Decision on a Motion for Access to *Ex Parte* Filings in Completed Cases, 10 May 2016, p. 3 (wherein the Appeals Chamber of the Mechanism considered with respect to *ex parte*, confidential material that "the requesting party must meet a higher standard in order to establish a legitimate forensic purpose for accessing such material" as such material "by its nature contains information that has not been disclosed *inter partes* because of, *inter alia*, 'privacy interests of a person' and that, therefore, 'the party on whose behalf the *ex parte* status has been granted enjoys a protected degree of trust that the *ex parte* material will not be disclosed'") (internal citations omitted).

⁵⁰ See Practice Direction, para. 8.

⁵¹ See *supra*, fn. 49.

⁵² In view of the fact that I am granting Mladić's request for reconsideration, in part, I hereby dismiss as moot Mladić's alternative requests for certification to appeal the Decision on Request for Access or for my disqualification. See Request for Reconsideration, paras. 17-24, 26.

⁵³ Cf. *Karadžić* Decision of 17 April 2012, pp. 2-3.

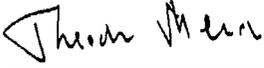
ORDER that Mladić, his counsel, and any persons involved in the preparation of his case who have been instructed or authorized by Mladić or his counsel to have access to the confidential version of the Decision on Nikolić's Early Release, shall not, without the express finding by a relevant Chamber or Judge that third party disclosure is necessary for the preparation of Mladić's defence and granting the appropriate leave to disclose the information contained in the confidential version of the Decision on Nikolić's Early Release to any third party;

ORDER that if any persons who are authorized to have access to the confidential version of the Decision in Nikolić's Early Release should withdraw from the case, this version of the Decision on Nikolić's Early Release that remains in their possession, and copies thereof, shall be returned to the Registry and the contents of the Decision on Nikolić's Early Release shall not be disclosed to third parties; and

DENY the Request for Reconsideration in all other respects.

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

Done this 6th day of June 2018,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Mechanism]



**TRANSMISSION SHEET FOR FILING OF DOCUMENTS WITH THE
MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS/
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I - FILING INFORMATION / INFORMATIONS GÉNÉRALES

To/ À :	MICT Registry/ <i>Greffe du MPTI</i>	<input type="checkbox"/> Arusha/ <i>Arusha</i>	<input checked="" type="checkbox"/> The Hague/ <i>La Haye</i>
From/ De :	<input checked="" type="checkbox"/> Chambers/ <i>Chambre</i>	<input type="checkbox"/> Defence/ <i>Défense</i>	<input type="checkbox"/> Prosecution/ <i>Bureau du Procureur</i>
Case Name/ Affaire :	Prosecutor v. Momir Nikolić	Case Number/ Affaire n° :	MICT-14-65-ES IT-09-92-T
Date Created/ Daté du :	06 June 2018	Date transmitted/ Transmis le :	06 June 2018
Original Language / Langue de l'original :	<input checked="" type="checkbox"/> English/ <i>Anglais</i>	<input type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Kinyarwanda <input type="checkbox"/> B/C/S <input type="checkbox"/> Other/ <i>Autre</i> (specify/préciser) :
Title of Document/ Titre du document :	Public redacted version of the 27 January 2017 decision on Ratko Mladić's requestes for leave to reply and reconsideration or, alternatively, certification or disqualification		
Classification Level/ Catégories de classification :	<input checked="" type="checkbox"/> Unclassified/ <i>Non classifié</i>	<input type="checkbox"/> Ex Parte Defence excluded/ <i>Défense exclue</i>	
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		<input type="checkbox"/> Ex Parte other exclusion/ <i>autre(s) partie(s) exclue(s)</i> (specify/préciser) :	
Document type/ Type de document :	<input type="checkbox"/> Motion/ <i>Requête</i>	<input type="checkbox"/> Submission from parties/ <i>Écritures déposées par des parties</i>	<input type="checkbox"/> Indictment/ <i>Acte d'accusation</i>
	<input checked="" type="checkbox"/> Decision/ <i>Décision</i>	<input type="checkbox"/> Submission from non-parties/ <i>Écritures déposées par des tiers</i>	<input type="checkbox"/> Warrant/ <i>Mandat</i>
	<input type="checkbox"/> Order/ <i>Ordonnance</i>	<input type="checkbox"/> Book of Authorities/ <i>Recueil de sources</i>	<input type="checkbox"/> Notice of Appeal/ <i>Acte d'appel</i>
	<input type="checkbox"/> Judgement/ <i>Jugement/Arrêt</i>	<input type="checkbox"/> Affidavit/ <i>Déclaration sous serment</i>	

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

<input type="checkbox"/> Translation not required/ <i>La traduction n'est pas requise</i>					
<input checked="" type="checkbox"/> Filing Party hereby submits only the original, and requests the Registry to translate/ <i>La partie déposante ne soumet que l'original et sollicite que le Greffe prenne en charge la traduction :</i> (Word version of the document is attached/ <i>La version Word est jointe</i>)					
<input type="checkbox"/> English/ <i>Anglais</i>	<input checked="" type="checkbox"/> French/ <i>Français</i>	<input type="checkbox"/> Kinyarwanda	<input checked="" type="checkbox"/> B/C/S	<input type="checkbox"/> Other/ <i>Autre</i> (specify/préciser) :	
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