



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-98-29-ES  
Date: 3 November 2008  
Original: English

**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before: Judge Fausto Pocar, President**

**Registrar: Mr. Hans Holthuis**

**Order of: 3 November 2008**

**THE PROSECUTOR**

**v.**

**STANISLAV GALIĆ**

***CONFIDENTIAL***

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**ORDER DESIGNATING THE STATE IN WHICH  
STANISLAV GALIĆ IS TO SERVE HIS PRISON  
SENTENCE**

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**The Office of the Prosecutor:**

Mr. Serge Brammertz

**Counsel for Stanislav Galić:**

Ms. Marta Pilipović  
Mr. Stéphane Piletta-Zanin

**I, FAUSTO POCAR**, 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 (“International Tribunal”),

**NOTING** the “Judgement” rendered by the Appeals Chamber on 30 November 2006 in the case *Prosecutor v. Stanislav Galić*, Case No. IT-98-29-A, in which Stanislav Galić was sentenced to life imprisonment;

**PURSUANT** to Article 27 of the Statute of the International Tribunal, Rule 103(A) of the Rules of Procedure and Evidence (“Rules”) and paragraphs four to six of the Practice Direction on the Procedure for the International Tribunal’s Designation of the State in Which a Convicted Person is to Serve His/Her Sentence of Imprisonment<sup>1</sup> (“Practice Direction”);

**CONSIDERING** the confidential internal memorandum of 31 October 2008, submitted to me by the Deputy Registrar within the terms of paragraph three of the Practice Direction and listing the States in which Stanislav Galić may serve his sentence;

**CONSIDERING** that in view of its federal structure, Germany is not in a position to enter into a general agreement with the United Nations on the enforcement of sentences in that country;

**CONSIDERING** that the German authorities have indicated that they are nonetheless prepared to conclude agreements for individual cases on the basis of an exchange of notes;

**CONSIDERING** that the German authorities have in this case indicated that they are prepared to conclude such an agreement with respect to Stanislav Galić;

**HAVING CONSIDERED** all the factors enumerated in the Practice Direction, including the family situation of Stanislav Galić;

**FOR THE FOREGOING REASONS**

**DECIDE** that Stanislav Galić shall serve his sentence in Germany;

**INVITE** the Registrar officially to make an official request the German authorities to undertake the enforcement of the sentence of Stanislav Galić and, should the government of Germany accede to the request, so inform me and take all necessary measures to facilitate Stanislav Galić’s transfer to Germany;


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<sup>1</sup> Practice Direction on the Procedure for the International Tribunal’s Designation of the State in Which a Convicted Person is to Serve His/Her Sentence of Imprisonment, IT/137, 9 July 1998.  
Case No. IT-98-29-ES

**ORDER** pursuant to Rule 103(C) of the Rules, that Stanislav Galić remain in the International Tribunal's custody while awaiting his transfer to Germany.

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

Dated this 3<sup>rd</sup> day of November 2008  
At The Hague,  
The Netherlands.

  
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Fausto Pocar, President

**[Seal of the International Tribunal]**