

IT-94-2-AR73

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05 JUNE 2003

**UNITED
NATIONS**



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: IT-94-2-AR73

Date: 4 June 2003

Original: English

PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President

Registrar: Mr. Hans Holthuis

Order of: 4 June 2003

PROSECUTOR

v.

Dragan NIKOLIĆ

**ORDER REPLACING A JUDGE IN A CASE
BEFORE THE APPEALS CHAMBER**

Counsel for the Prosecutor:

Mr. Upawansa Yapa

Counsel for the Defence:

Mr. Howard Morrison

Ms. Tanja Radosavljević

I, **THEODOR MERON**, 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 "Appellant's Brief on Appeal Against a Decision of the Trial Chamber Dated 9th October 2002" filed by counsel for Dragan Nikolić on 27 January 2003 ("Interlocutory Appeal");

NOTING the order entitled "The President's Assignment of Two Judges to the Appeals Chamber" issued on 4 June 2003 by the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens responsible for genocide and other such violations committed in the territory of neighbouring States, between 1 January and 31 December 1994";

NOTING that Rule 27(C) of the Rules of Procedure and Evidence of the International Tribunal ("Rules") provides that "The President may at any time temporarily assign a member of a Trial Chamber or of the Appeals Chamber to another Chamber";

PURSUANT TO Rule 27(C) of the Rules of the International Tribunal;

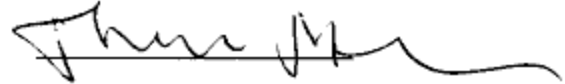
HEREBY ASSIGN, with immediate effect, Judge Amin El Mahdi to replace Judge Asoka de Zoysa Gunawardana in the Interlocutory Appeal;

HEREBY ORDER that in the Case No. IT-94-2-AR73, *The Prosecutor v. Dragan Nikolić*, the Appeals Chamber shall be then composed, with immediate effect, as follows:

Judge Theodor Meron
Judge Fausto Pocar
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Amin El Mahdi

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

Dated this 4th day of June 2003,
At The Hague,
The Netherlands.



Theodor Meron
President

[Seal of the Tribunal]