

UNITED
NATIONS

5-95-11-A
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10 October 2007

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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-95-11-A
Date: 10 October 2007
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Fausto Pocar, President

Registrar: Mr. Hans Holthuis

Order of: 10 October 2007

PROSECUTOR

v.

MILAN MARTIĆ

PUBLIC

ORDER APPOINTING THE PRE-APPEAL JUDGE

The Office of the Prosecutor:

Ms. Carla Del Ponte

Counsel for the Appellant:

Mr. Predrag Milovančević
Mr. Nikola Perović

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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”), and Presiding Judge in the case of *Prosecutor v. Milan Martić*,¹

NOTING the “Order Assigning Judges to a Case Before the Appeals Chamber and Appointing a Pre-Appeal Judge” of 20 July 2007, by which I appointed Judge Wolfgang Schomburg as Pre-Appeal Judge in this case;

NOTING the “Motion to Disqualify Judge Wolfgang Schomburg from Sitting on Appeal” filed by Milan Martić on 17 August 2007 (“Motion for Disqualification”);

NOTING the “Order Pursuant to Rule 115” of 5 October 2007, by which the Vice-President of the International Tribunal appointed a panel of three Judges to consider the merits of the application;

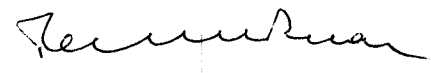
CONSIDERING that the Motion for Disqualification is still pending before the panel;

CONSIDERING that Rule 65ter, read together with Rule 107 of the Rules of Procedure and Evidence of the International Tribunal, authorises the Presiding Judge of the Appeals Chamber to designate a member of the Appeals Chamber to be responsible for pre-appeal proceedings in this case;

HEREBY ASSIGN, with immediate effect, myself as Pre-Appeal Judge until the issuing of the Decision on the Motion for Disqualification.

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

Done this 10th day of October 2007,
At The Hague,
The Netherlands.



Judge Fausto Pocar
Presiding Judge

[Seal of the International Tribunal]

¹ Case No: IT-95-11-A.