



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-98-33/1-PT  
Date: 26 November 2001  
Original: English  
French

**THE PRESIDENT OF THE TRIBUNAL**

**Before: Judge Claude Jorda, President of the Tribunal**

**Registrar: Mr. Hans Holthuis**

**Decision of: 26 November 2001**

**THE PROSECUTOR**

**v.**

**VIDOJE BLAGOJEVIĆ**

---

**ORDER OF THE PRESIDENT TEMPORARILY ASSIGNING  
A JUDGE FROM ONE TRIAL CHAMBER TO ANOTHER**

---

**The Office of the Prosecutor:**  
**Mr. Peter McCloskey**

**Defence Counsel:**  
**Mr. Michael Karnavas**

I, Claude Jorda, 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 (hereinafter "the International Tribunal"),

**NOTING** Dragan Nikolić's Motion of 29 October 2001 (IT-94-2-PT) challenging the legality of his arrest (hereinafter "Dragan Nikolić's Motion"),

**NOTING** the Prosecution Motion for joinder of the trials *The Prosecutor v. Dragan Obrenović*, *The Prosecutor v. Vidoje Blagojević* and *The Prosecutor v. Dragan Jokić* dated 11 September 2001 (hereinafter "the Prosecution Motion"),

**NOTING** the Order of the President of 14 September 2001 regarding the Prosecutor's Motions for joinder of trial dated 6 and 11 September 2001 in the cases *The Prosecutor v. Dragan Obrenović*, *The Prosecutor v. Vidoje Blagojević* and *The Prosecutor v. Dragan Jokić* assigning the said Motions to Trial Chamber II composed of Judges David Hunt, Florence Mumba and Liu Daqun (hereinafter "the President's Order of 14 September"),

**NOTING** the need to rule on Dragan Nikolić's Motion and the Prosecution Motion (hereinafter "the Motions") so that the pre-trial phase may proceed in the cases *The Prosecutor v. Dragan Obrenović*, *The Prosecutor v. Vidoje Blagojević*, *The Prosecutor v. Dragan Jokić* and *The Prosecutor v. Dragan Nikolić*,

**NOTING** document IT/197 of the International Tribunal dated 23 November 2001 on the new composition of the Appeals Chamber and the Trial Chambers,

**NOTING** the Orders of the President dated 23 November 2001 on the composition of a Trial Chamber in the cases *The Prosecutor v. Dragan Obrenović*, *The Prosecutor v. Vidoje Blagojević*, *The Prosecutor v. Dragan Jokić* and *The Prosecutor v. Dragan Nikolić*,

**NOTING** the need to ensure the proper disposal of the cases,

**NOTING** that, pursuant to Rule 27(C) of the Rules of Procedure and Evidence (hereinafter "the Rules"), the President may at any time temporarily assign a member of a Trial Chamber to another Chamber,

**NOTING** the involvement of Judge Florence Mumba in the case *The Prosecutor v. Blagoje Simić, Milan Simić, Miroslav Tadić and Simo Zarić* (IT-95-9-T) which commenced on 10 September 2001,

**NOTING** the date set for the commencement of the trial in the case *The Prosecutor v. Slobodan Milošević* (IT-99-37-PT), that is, 12 February 2002,

**HAVING CONSULTED** the permanent Judges of the International Tribunal,

**FOR THE FOREGOING REASONS,**

**ASSIGN** temporarily Judge O-Gon Kwon to Trial Chamber II in order to rule on the Motions,

**DECIDE** that, for the cases *The Prosecutor v. Dragan Obrenović, The Prosecutor v. Vidoje Blagojević, The Prosecutor v. Dragan Jokić* and *The Prosecutor v. Dragan Nikolić* and solely in order to rule on the Motions, Trial Chamber II shall be composed as follows:

Judge Wolfgang Schomburg, Presiding

Judge Carmel A. Agius

Judge O-Gon Kwon

**DECIDE** that Judge O-Gon Kwon shall continue to serve in all the cases assigned to Trial Chamber III.

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

Done this twenty-sixth day of November 2001

At The Hague  
The Netherlands

(signed)

\_\_\_\_\_  
Claude Jorda  
President

[Seal of the Tribunal]