

IT-03-73-R  
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31 March 2004

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**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 No. IT-03-73-PT  
Date: 31 March 2004  
Original: English

**IN TRIAL CHAMBER II**

**Before:** Judge Carmel Agius, Presiding  
Judge Jean Claude Antonetti  
Judge Kevin Parker

**Registrar:** Mr. Hans Holthuis

**Decision of:** 31 March 2004

**PROSECUTOR**

**v.**

**IVAN ČERMAK  
MLADEN MARKAČ**

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**ORDER ASSIGNING A PRE-TRIAL JUDGE**

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**The Office of the Prosecutor:**

Mr. Mark Ierace  
Ms. Laurie Sartorio

**Counsel for the Accused Ivan Čermak:**

Mr. Čedo Prodanović

**Counsel for the Accused Mladen Markač:**

Mr. Goran Mikuličić

**I, Carmel Agius**, Presiding Judge of Trial Chamber II 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 (“Tribunal”):

**NOTING** the “Order Assigning a Case to a Trial Chamber”, filed by the President of the Tribunal on 9 March 2004, assigning the case of *Prosecutor v Ivan Čermak and Mladen Markač* to Trial Chamber II;

**NOTING** Rule 65 *ter*(A) of the Rules of Procedure and Evidence of the Tribunal (“Rules”) which provides that the Presiding Judge of the Trial Chamber shall designate from among its members a Judge responsible for the pre-trial proceedings (“pre-trial Judge”);

**NOTING** the “Order Appointing a Pre-trial Judge” in the case of *Prosecutor v Ivan Čermak and Mladen Markač*, filed on 12 March 2004, in which I appointed myself as pre-trial Judge;

**CONSIDERING** the need to ensure an equitable distribution, amongst the Judges of the Trial Chamber, of the duties performed by the pre-trial Judge;

**PURSUANT TO** Rule 65 *ter* (A) of the Rules;

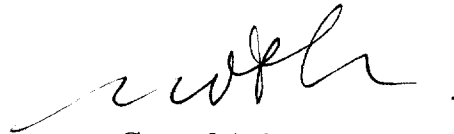
**HEREBY DESIGNATE** Judge Kevin Parker as the pre-trial Judge in this case.

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

Dated this thirty-first day of March 2004,

At The Hague

The Netherlands



**Carmel Agius**

**Presiding Judge**

**[Seal of the Tribunal]**