

UNITED
NATIONS

IT-95-3-1
D 317 - D 346
15 April 2005

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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: IT-95-3-I

Date: 15 April 2005

Original: English

PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President
Registrar: Mr. Hans Holthuis
Order of: 15 April 2005

PROSECUTOR

v.

GORAN BOROVNICA

**ORDER ASSIGNING A JUDGE TO MOTION FOR LEAVE TO WITHDRAW AN
INDICTMENT**

The Office of the Prosecutor:
Ms Carla Del Ponte

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,

NOTING the Indictment in the case of *The Prosecutor v Goran Borovnica*, confirmed by Judge Adolphus Karibi-Whyte on 13 February 1995;

NOTING the “Motion For Leave to Withdraw The Indictment Without Prejudice” (“Motion to Withdraw”), filed by the Prosecutor on 14 April 2005, in which the Prosecutor requests that a Judge be assigned by the President to determine the withdrawal of the Indictment confirmed against Goran Borovnica;


NOTING that Rule 51(ii) of the Rules of Evidence and Procedure (“Rules”), provides that the Prosecutor may withdraw an indictment between its confirmation and the assignment of a case to a Trial Chamber with the leave of the Judge who confirmed the indictment, or a Judge assigned by the President;

NOTING that Judge Adolphus Karibi-Whyte is no longer a Judge of this Tribunal;

HEREBY ASSIGN, effective immediately, Judge Kevin Parker to the Motion to Withdraw.

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

Dated this 15th day of April 2005,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Tribunal]