



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-00-41-PT
Date: 17 August 2005
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Theodor Meron, President
Registrar: Mr. Hans Holthuis
Order of: 17 August 2005

THE PROSECUTOR

v.

PAŠKO LJUBIČIĆ

**ORDER APPOINTING A TRIAL CHAMBER FOR THE PURPOSES OF DETERMINING
WHETHER THE INDICTMENT SHOULD BE REFERRED TO ANOTHER COURT
UNDER RULE 11 *BIS***

Office of the Prosecutor:

Ms. Carla Del Ponte

Counsel for the Accused:

Mr. Tomislav Jonjić

Ms. Nika Pinter

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 (“Tribunal”),

BEING SEISED OF the “Motion by the Prosecutor under Rule 11 *bis* for Referral of the Indictment”, filed on 19 July 2005, in which the Prosecutor requests that this case be referred to the authorities of Bosnia and Herzegovina for trial by the Special War Crimes Chamber of the State Court;

NOTING that the indictment against Mr. Paško Ljubičić has been confirmed;

NOTING that under Rule 11*bis* (A)(i) of the Rules of Procedure and Evidence, after an indictment against an accused has been confirmed, the President of the Tribunal may appoint a Trial Chamber for the purpose of referring a case to the authorities of a State in whose territory the crime was committed;

NOTING the Prosecution’s submission that in the present case, the crimes charged in the indictment were committed on the territory of Bosnia and Herzegovina;

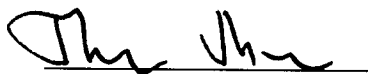
CONSIDERING the composition of the Trial Chambers of the Tribunal as set out in Document IT/237Rev.1, issued on 22 July 2005;

HEREBY APPOINT, effective immediately, the following Judges to constitute the Trial Chamber for the purpose of determining whether this case should be referred to the authorities of Bosnia-Herzegovina pursuant to Rule 11*bis*:

Judge Alphons Orié
Judge O-Gon Kwon
Judge Kevin Parker

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

Dated this 17th day of August 2005,
At The Hague,
The Netherlands.



Judge Theodor Meron
President

[Seal of the Tribunal]