

IT-06-90-PT
D 120 - D 118
16 August 2006

120

HR

**UNITED
NATIONS**



International Tribunal for the
Prosecution of Persons
Responsible for Serious Violations of
International Humanitarian Law
Committed in the Territory of
Former Yugoslavia since 1991

Case No. IT-06-90-PT
Date: 16 August 2006
Original: English

IN TRIAL CHAMBER II

Before: Judge Carmel Agius, Presiding

Registrar: Mr. Hans Holthuis

Decision: 16 August 2006

PROSECUTOR

v.

**Ante GOTOVINA
Ivan ČERMAK
and
Mladen MARKAČ**

ORDER REGARDING COMPOSITION OF TRIAL CHAMBER

The Office of the Prosecutor:

Mr. Alan Tieger
Ms. Laurie Sartorio

Counsel for the Accused:

Mr. Ćedo Prodanović and Ms Jadranka Sloković for Ivan Čermak
Mr. Miroslav Šeparović and Mr. Goran Mikuličić for Mladen Markač
Mr. Luka S. Mišetić and Mr. Gregory Kehoe for Ante Gotovina

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 “Decision on Prosecution’s Consolidated Motion to Amend the Indictment and for Joinder” rendered by Trial Chamber II on 14 July 2006 (“Decision”), which joined Case No. IT-03-73-PT, *Prosecutor v. Ivan Čermak, Mladen Markač* and case No. IT-01-45-PT, *Prosecutor v. Ante Gotovina*;

NOTING the Certificate issued by the Registrar on 17 July 2006, in which case number IT-06-90-PT was assigned to the joined case *Prosecutor v. Ante Gotovina, Ivan Čermak and Mladen Markač*;

NOTING the “Order Reassigning a Case to a Trial Chamber” issued by the President of the Tribunal on 14 August 2006, in which Trial Chamber II was reassigned to the present case;

NOTING Articles 12(2) and 14(7) of the Statute of the Tribunal (“Statute”);

NOTING that Judge O-Gon Kwon was assigned to Trial Chamber II by the President on 12 May 2006;¹

NOTING the appointment of two new *ad litem* Judges, Judge Kimberly Prost and Judge Ole Bjørn Støle, to the Tribunal;

PURSUANT TO Article 14(7) of the Statute and Rule 54 of the Rules of Procedure and Evidence of the Tribunal;

HEREBY ORDER that Trial Chamber II in the case of *Prosecutor v. Ante Gotovina, Ivan Čermak and Mladen Markač* shall be composed, for the purposes of pre-trial proceedings, as follows:

Judge O-Gon Kwon (Presiding)

Judge Kimberly Prost

Judge Ole Bjørn Støle

¹ President, Composition of Appeals Chamber and Trial Chamber, IT/245, 12 May 2006.

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

Dated this sixteenth day of August 2006,

At The Hague

The Netherlands

A handwritten signature in black ink, appearing to read 'C. Agius', is written over a horizontal line.

Judge Carmel Agius

Presiding Judge

[Seal of the Tribunal]