

UNITED  
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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 No.: IT-01-42-A

Date: 21 February 2008

Original: English

**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before: Judge Fausto Pocar, President**

**Registrar: Mr. Hans Holthuis**

**Order of: 21 February 2008**

**PROSECUTOR**

**v.**

**PAVLE STRUGAR**

**PUBLIC**

**ORDER REPLACING A JUDGE IN A CASE  
BEFORE THE APPEALS CHAMBER**

**The Office of the Prosecutor:**

Ms. Michelle Jarvis  
Ms. Laurel Baig  
Mr. Xavier Tracol

**Counsel for Pavle Strugar:**

Mr. Goran Rodić  
Mr. Vladimir Petrović

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**I, FAUSTO POCAR**, 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 (“International Tribunal”),

**NOTING** the “Order Assigning Judges to a Case Before the Appeals Chamber” rendered on 5 July 2007;

**NOTING** the “Decision on Strugar’s Request to Reopen Appeal Proceedings” rendered by the Appeals Chamber on 7 June 2007<sup>1</sup> reopening Pavle Strugar’s appeal and the Prosecution’s appeal against Trial Chamber II’s Judgement of 31 January 2005 in this case;<sup>2</sup>

**CONSIDERING** that the briefing on appeal in this case is complete;<sup>3</sup>

**NOTING** that the Appeals in this case shall be heard on Wednesday, 23 April 2008;<sup>4</sup>

**CONSIDERING** that in excess of two months remain before the Appeals in this case shall be heard;

**NOTING** that pursuant to Rule 19 of the Rules of Procedure and Evidence of the International Tribunal, the President of the International Tribunal shall coordinate the work of the Chambers;

**CONSIDERING** the appeal management and case distribution needs of the International Tribunal;

**CONSIDERING** the composition of the Appeals Chamber and the Trial Chambers of the International Tribunal as set out in document IT/245 issued on 12 May 2006;

**HEREBY ASSIGN**, with immediate effect, Judge O-Gon Kwon to replace Judge Wolfgang Schomburg in the present case;

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<sup>1</sup> Case No. IT-01-42-Misc.1.

<sup>2</sup> *Prosecutor v. Pavle Strugar*, Case No. IT-01-42-T, Judgement, 31 January 2005.

<sup>3</sup> Defence Notice of Appeal, 2 March 2005 and Defence Appeal Brief, 8 July 2005; Defence Response Brief, 27 June 2005 (filed confidentially and made public by oral decision of the then Pre-Appeal Judge (Status Conference, 30 June 2005, T. 6 (closed session), lines 8-10)); Defence Brief in Reply, 1 September 2005; Prosecution’s Notice of Appeal, 2 March 2005 and Prosecution Appellant Brief, 17 May 2005 (*see also* Book of Authorities for Prosecution Appeal Brief, 17 May 2005 and Addendum to “Book of Authorities for Prosecution Appeal Brief”, 12 July 2005); Prosecution Brief in Response, 17 August 2005 (*see also* Book of Authorities for Prosecution Response Brief, 17 August 2005); Prosecution Brief in Reply, 12 July 2005; Prosecution’s Addendum on Recent Case-Law Pursuant to Order of 23 August 2007, 1 October 2007 (jointly, “Appeals”).

<sup>4</sup> Scheduling Order for Appeals Hearing, 29 January 2008.

**AND ORDER** that the Bench in *Prosecutor v. Pavle Strugar*, Case No. IT-01-42-A, shall be composed as follows, effective immediately:

Judge Andrézia Vaz, Presiding

Judge Mohamed Shahabuddeen

Judge Mehmet Güney

Judge Theodor Meron

Judge O-Gon Kwon

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

Dated this 21st day of February 2008,  
At The Hague,  
The Netherlands.



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Judge Fausto Pocar  
President

**[Seal of the International Tribunal]**