



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-06-90-PT

Date: 4 March 2008

Original: English

**IN TRIAL CHAMBER I**

**Before:** Judge Alphons Orie, Presiding

**Registrar:** Mr. Hans Holthuis

**Order of:** 4 March 2008

**PROSECUTOR**

v.

**ANTE GOTOVINA  
IVAN ČERMAK  
MLADEN MARKAČ**

***PUBLIC***

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**ORDER COMPOSING A TRIAL BENCH**

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**The Office of the Prosecutor:**

Mr. Alan Tieger  
Mr. Stefan Waespi

**Counsel for the Accused:**

Mr. Luka S. Mišetić, Mr. Gregory Kehoe and Mr. Payam Akhavan for Ante Gotovina  
Mr. Steven Kay and Mr. Andrew Cayley for Ivan Čermak  
Mr. Goran Mikuličić and Mr. Tomislav Z. Kuzmanović for Mladen Markač

**I, Alphons Orie**, Presiding Judge of Trial Chamber I 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 Reassigning a Case to a Trial Chamber”, filed by the President of the Tribunal on 22 November 2006, assigning, with immediate effect, the case *Prosecutor v. Ante Gotovina et al.*, Case No. IT-06-90-PT, to Trial Chamber I;

**NOTING** the “Order Regarding Composition of Trial Chamber and Designating a Pre-Trial Judge”, filed 23 November 2006, wherein the Presiding Judge of Trial Chamber I order the pre-trial bench to be composed of Judge Alphons Orie, Judge Christine Van den Wyngaert and Judge Balkone Justice Moloto, with Judge Balkone Justice Moloto designated as Pre-Trial Judge;

**NOTING** the “Order Designating a Pre-Trial Judge”, filed 11 December 2007, wherein the Presiding Judge of Trial Chamber I designated himself, Judge Alphons Orie, to be the Pre-Trial Judge;

**NOTING** the “Order Assigning *Ad Litem* Judges to a Case before a Trial Chamber”, filed by the President of the Tribunal on 3 March 2008, assigning Judge Uldis Ķinis and Judge Elisabeth Gwaunza to Trial Chamber I “for the trial of Case No. IT-06-90, The *Prosecutor v. Ante Gotovina et al.*, effective, today, 3 March 2008”;

**NOTING** that Judge Elisabeth Gwaunza made her solemn declaration pursuant to Rule 14(A) of the Tribunal’s Rules of Procedure and Evidence (“Rules”) on 3 March 2008, and that Judge Uldis Ķinis is scheduled to make his solemn declaration on 10 March 2008 at 0845 hours;

**CONSIDERING** that Judge Uldis Ķinis cannot form a part of the composition of the trial bench until such time as he has made a solemn declaration pursuant to Rule 14(A) of the Rules;

**CLARIFYING** that the Trial Chamber in the case of *Prosecutor v. Ante Gotovina et al.*, Case No. IT-06-90-PT remains composed of Judge Alphons Orie, Judge Christine Van den Wyngaert and Judge Balkone Justice Moloto, with Judge Alphons Orie designated as Pre-Trial Judge, until such time as both *Ad Litem* Judges assigned to the case by the President for trial have made solemn declarations;

**PURSUANT TO** Articles 12(2) and 14(7) of the Statute of the Tribunal and Rule 14 of the Rules;

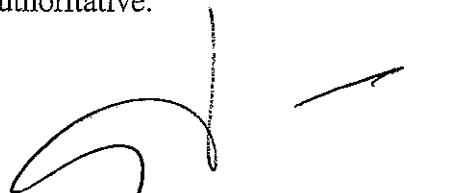
**HEREBY ORDER** that Trial Chamber I in the case of *Prosecutor v. Ante Gotovina et al.* shall be composed, for the purposes of trial proceedings, effective 10 March 2008 upon the completion of the solemn declaration by Judge Uldis Ķinis, as follows:

Judge Alphons Orié, Presiding

Judge Uldis Ķinis

Judge Elisabeth Gwaunza

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



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Judge Alphons Orié  
Presiding

Dated this fourth day of March 2008

At The Hague

The Netherlands

**[Seal of the Tribunal]**