UNITED NATIONS

1T-04-82-A A 345 - A 344 17 NOVEMBER 2008 345 TR



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-04-82-A

Date:

17 November 2008

Original:

English

IN THE APPEALS CHAMBER

Before:

Judge Mehmet Güney, Presiding

Registrar:

Mr. Hans Holthuis

Order of:

17 November 2008

PROSECUTOR

V.

LJUBE BOŠKOSKI JOHAN TARČULOVSKI

PUBLIC

ORDER DESIGNATING THE PRE-APPEAL JUDGE

Office of the Prosecutor

Mr. Paul Rogers

Counsel for Ljube Boškoski

Ms. Edina Rešidović and Mr. Guénaël Mettraux

Counsel for Johan Tarčulovski

Mr. Alan M. Dershowitz, Mr. Nathan Z. Dershowitz, Mr. Antonio Apostoiski and Mr. Jordan Apostolski

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I, MEHMET GÜNEY, Judge of the Appeals Chamber 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 Judgement rendered in this case by Trial Chamber II on 10 July 2008;¹

NOTING the appeals filed by the Prosecution² and Johan Tarčulovski³ against the Trial Judgement;

NOTING the "Order Assigning Judges to a Case before the Appeals Chamber and Appointing a Pre-Appeal Judge" filed on 30 July 2008;

NOTING the "Order Replacing a Judge in a Case Before the Appeals Chamber", issued on 11 November 2008, replacing Judge Fausto Pocar with Judge Mehmet Güney;

NOTING that, pursuant to Rule 22(B) of the Rules of Procedure and Evidence of the International Tribunal ("Rules"), I have been elected as Presiding Judge in the present case;

PURSUANT TO Rules 65ter and 107 of the Rules,

HEREBY DESIGNATE, with immediate effect, myself as Pre-Appeal Judge in this case.

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

Done this 17th day of November 2008, At The Hague, The Netherlands.

Judge Mehmet Güney Presiding

[Seal of the International Tribunal]

¹ Prosecutor v. Ljube Boškoski and Johan Tarčulovski, Case No. IT-04-82-T, Judgement, 10 July 2008 ("Trial Judgement").

² Prosecution's Notice of Appeal, 6 August 2008; Notice of Filing of Corrected Public Redacted Version of Prosecution's Appeal Brief, 4 November 2008.