

**UNITED
NATIONS**



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-04-84bis-AR73.2
Date: 16 March 2011
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge O-Gon Kwon, Acting President
Registrar: Mr. John Hocking
Order of: 16 March 2011

PROSECUTOR

v.

**RAMUSH HARADINAJ
IDRIZ BALAJ
LAHI BRAHIMAJ**

PUBLIC

**ORDER ASSIGNING JUDGES TO A CASE
BEFORE THE APPEALS CHAMBER**

Office of the Prosecutor
Mr. Paul Rogers

Counsel for the Accused
Mr. Ben Emmerson QC and Mr. Rodney Dixon for Mr. Ramush Haradinaj
Mr. Gregor Guy-Smith and Ms. Colleen Rohan for Mr. Idriz Balaj
Mr. Richard Harvey and Mr. Paul Troop for Mr. Lahi Brahimaj

I, O-GON KWON, Acting 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 “Decision on Idriz Balaj’s Request for Clarification of the Decision Regarding Paragraph 24 of the Revised Shortened Indictment” (“Impugned Decision”), issued by Trial Chamber II (“Trial Chamber”) on 8 February 2011;

NOTING the “Decision on Idriz Balaj’s Application Pursuant to Rule 73(B) for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011”, issued by the Trial Chamber on 24 February 2011, in which the Trial Chamber granted Idriz Balaj’s (“Balaj”) application for certification to appeal the Impugned Decision,¹ as well as Lahi Brahimaj’s (“Brahimaj”) request to join Balaj’s application for certification to appeal the Impugned Decision;²

NOTING the “Appeal Brief on Behalf of Idriz Balaj on Clarification of the Operative Indictment”, filed by Balaj on 3 March 2011;

NOTING “Lahi Brahimaj’s Joinder in the Appeal Brief Filed by Idriz Balaj on Clarification of the Operative Shortened Indictment”, filed by Brahimaj on 3 March 2011;

NOTING that President Patrick Robinson is currently absent from the International Tribunal and that, pursuant to Rule 21 of the Rules of Procedure and Evidence of the International Tribunal, the Vice-President shall exercise the functions of the President in case of the latter’s absence or inability to act;

CONSIDERING Articles 12(3) and 14(3) of the Statute of the International Tribunal and Rule 73(B) of the Rules of Procedure and Evidence of the International Tribunal;

CONSIDERING the composition of the Appeals Chamber of the International Tribunal as set out in document IT/263 issued on 11 May 2009;

¹ See *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-PT, Idriz Balaj’s Application Pursuant to Rule 73(B) of the Rules for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011, 15 February 2011.

² See *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-PT, Lahi Brahimaj’s Joinder in “Idriz Balaj’s Application Pursuant to Rule 73(B) of the Rules for Certification to Appeal the Trial Chamber’s Decision of 8 February 2011”, 16 February 2011.

HEREBY ORDER that the Bench in *Prosecutor v. Haradinaj et al.*, Case No. IT-04-84bis-AR73.2, shall be composed as follows:

Judge Patrick Robinson, Presiding

Judge Fausto Pocar


Judge Liu Daqun

Judge Andrézia Vaz

Judge Theodor Meron

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

Done this 16th day of March 2011,
At The Hague,
The Netherlands.



Judge O-Gon Kwon
Acting President

[Seal of the International Tribunal]