



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-95-11-A  
Date: 31 October 2007  
Original: English

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**THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL**

**Before:** Judge Fausto Pocar, President  
**Registrar:** Mr. Hans Holthuis  
**Order of:** 31 October 2007

**PROSECUTOR**

**v.**

**MILAN MARTIĆ**

**PUBLIC**

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**ORDER REINSTATING THE PRE-APPEAL JUDGE**

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**The Office of the Prosecutor:**

Ms. Michelle Jarvis

**Counsel for the Appellant:**

Mr. Predrag Milovančević  
Mr. Nikola Perović

**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”), and Presiding Judge in the case of *Prosecutor v. Milan Martić*,<sup>1</sup>

**NOTING** the “Order Assigning Judges to a Case Before the Appeals Chamber and Appointing a Pre-Appeal Judge” of 20 July 2007, by which I appointed Judge Wolfgang Schomburg as Pre-Appeal Judge in this case;

**NOTING** the “Motion to Disqualify Judge Wolfgang Schomburg from Sitting on Appeal” filed by Milan Martić on 17 August 2007 (“Motion for Disqualification”);

**NOTING** the “Order Appointing the Pre-Appeal Judge” of 10 October 2007, in which I appointed myself as Pre-Appeal Judge until the issuing of a decision on the Motion for Disqualification;

**NOTING** that on 23 October 2007, the Vice-President of the International Tribunal issued an “Order on Defence Motion to Disqualify Judge Wolfgang Schomburg from Sitting on Appeal” refusing the Motion for Disqualification;

**CONSIDERING** Rule 65*ter*, read together with Rule 107 of the Rules of Procedure and Evidence of the International Tribunal;

**HEREBY REINSTATE**, with immediate effect, Judge Wolfgang Schomburg as Pre-Appeal Judge.

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

Done this 31st day of October 2007,  
At The Hague,  
The Netherlands.

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Judge Fausto Pocar  
President

**[Seal of the International Tribunal]**

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<sup>1</sup> Case No. IT-95-11-A.