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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-08-91-A
Date: 28 November 2013
Original: English

THE PRESIDENT OF THE INTERNATIONAL TRIBUNAL

Before: Judge Carmel Agius, Acting President
Registrar: Mr. John Hocking
Decision: 28 November 2013

PROSECUTOR

v.

**MIĆO STANIŠIĆ
and
STOJAN ŽUPLJANIN**

PUBLIC

**ORDER REPLACING A JUDGE IN RESPECT OF A
MOTION BEFORE THE APPEALS CHAMBER**

Office of the Prosecutor

Ms. Helen Brady

Counsel for Mićo Stanišić

Mr. Slobodan Zečević and Mr. Stéphane Bourgon

Counsel for Stojan Župljanin

Mr. Dragan Krgović and Ms. Tatiana Čmerić

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I, CARMEL AGIUS, 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 (“Tribunal”);

NOTING “Stojan [Ž]upljanin’s Motion Requesting Recusal of Judge Liu Daqun from Adjudication of Motion to Vacate Trial Judgement” filed by Defence Counsel for Stojan Župljanin on 21 October 2013 (“Motion”);¹

NOTING that President Theodor Meron is Pre-Appeal Judge and Presiding Judge in the present case;²

CONSIDERING that President Theodor Meron has withdrawn from considering the Motion, and has referred the Motion to me for appropriate action in accordance with Rule 15(A) of the Rules of Procedure and Evidence (“Rules”);³

NOTING that, pursuant to Rule 21 of the Rules, the Vice-President shall exercise the functions of the President in case of the latter’s absence or inability to act;

NOTING that, pursuant to Rule 22(B) of the Rules, I have been elected as Presiding Judge of the Appeals Chamber in respect to the Motion;

PURSUANT to Rules 15(A) and 21 of the Rules;

HEREBY ASSIGN, with immediate effect, Judge William Hussein Sekule to replace President Theodor Meron on the Bench for the purposes of the Motion;

HEREBY ORDER that the Bench in *Prosecutor v. Mićo Stanišić and Stojan Župljanin*, Case No. IT-08-91-A, for the purposes of the Motion, shall therefore be composed as follows:

¹ The Office of the Prosecutor filed a consolidated response to the Motion on 25 October 2013. *See* Prosecution Consolidated Response to Stanišić’s Motions for Mistrial and Provisional Release, and Župljanin’s Motions to Vacate Trial Judgement, for Recusal of Judge Liu and Provisional Release, 25 October 2013. Župljanin filed a reply on 28 October 2013. *See* Stojan Župljanin’s Reply to Prosecution’s Response to Motions to Vacate Trial Judgement, Provisional Release and for Recusal of Judge Liu Daqun, 28 October 2013.

² Order Designating a Pre-Appeal Judge, 15 April 2013.

³ Order Assigning Motions to a Judge, 22 October 2013, p. 1.

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Judge Carmel Agius, Presiding

Judge William Hussein Sekule

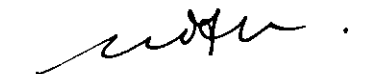
Judge Patrick Robinson

Judge Liu Daqun

Judge Arlette Ramarosan

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

Dated this twenty eighth day of November 2013,
At The Hague,
The Netherlands



Judge Carmel Agius
Acting President

[Seal of the Tribunal]