

4-06-90-T  
D 22036 - D 22035  
15 April 2009

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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-06-90-T

Date:

15 April 2009

Original:

English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding  
Judge Uldis Ķinis  
Judge Elizabeth Gwaunza

Acting Registrar: Mr John Hocking

Order of: 15 April 2009

PROSECUTOR

v.

ANTE GOTOVINA  
IVAN ČERMAK  
MLADEN MARKAČ

PUBLIC

INVITATION TO CROATIA TO FILE A SUBMISSION IN RELATION TO DEFENDANT  
ANTE GOTOVINA'S MOTION FOR A RESTRAINING ORDER AGAINST THE  
REPUBLIC OF CROATIA

Office of the Prosecutor

Mr Serge Brammertz  
Mr Alan Tieger  
Mr Stefan Waespi

Republic of Croatia

Per: the Embassy of the Republic of Croatia  
to the Kingdom of the Netherlands

Counsel for Ante Gotovina

Mr Luka Mišetić  
Mr Gregory Kehoe  
Mr Payam Akhavan

Counsel for Ivan Čermak

Mr Steven Kay  
Mr Andrew Cayley  
Ms Gillian Higgins

Counsel for Mladen Markač

Mr Goran Mikuličić  
Mr Tomislav Kuzmanović

**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;

**BEING SEIZED OF** Defendant Ante Gotovina's Motion for a Restraining Order against the Republic of Croatia pursuant to Rule 54, filed on 1 April 2009, Defendant Ante Gotovina's Additional Submission in support of his Motion for Restraining Order against the Republic of Croatia, filed on 2 April 2009, and the Submission of Registry Accreditation Letter for Mr. Marin Ivanovic, filed on 3 April 2009 ("Motion");

**NOTING** that the Prosecution filed its response on 9 April 2009;<sup>1</sup>

**CONSIDERING** that the Gotovina Defence sought leave from the Chamber to leave to reply to the Prosecution Response on 14 April 2009;<sup>2</sup>


**FINDS** it appropriate to give Croatia an opportunity to make submissions on the current matter, once it has received all the relevant filings, before the Chamber decides whether to grant the Request for Leave to Reply;

**REQUESTS** the Registry, if it has not done so already, to provide Croatia with the three filings that constitute the Motion and with the Prosecution Response;

**INVITES** Croatia to make written submissions in relation to the Motion;

**REQUESTS** Croatia, in light of the urgency of the matter, to file the submissions within fourteen days of the filing of this Invitation.

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

  
 Judge Alphons Orie  
 Presiding Judge

Dated this fifteenth day of April 2009  
 At The Hague  
 The Netherlands

**[Seal of the Tribunal]**

<sup>1</sup> Prosecution Response to Gotovina's Motion for Restraining Order against the Republic of Croatia, 9 April 2009 ("Prosecution Response").

<sup>2</sup> Defendant Ante Gotovina's Motion for Leave to Reply to Prosecution's Response to General Gotovina's Motion for Restraining Order against the Republic of Croatia, 14 April 2009 ("Request for Leave to Reply").