

4-06-90-T  
D 30708 - D 30707  
11 December 2009

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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-06-90-T  
Date: 11 December 2009  
Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding  
Judge Uldis Ķiniš  
Judge Elizabeth Gwaunza  
Registrar: Mr John Hocking  
Order of: 11 December 2009

PROSECUTOR

v.

ANTE GOTOVINA  
IVAN ČERMAK  
MLADEN MARKAČ

*PUBLIC*

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ORDER SCHEDULING A HEARING

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**Office of the Prosecutor**

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, QC  
Mr Andrew Cayley  
Ms Gillian Higgins

**Counsel for Mladen Markač**

Mr Goran Mikuličić  
Mr Tomislav Kuzmanović

**TRIAL CHAMBER I** (“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 (“Tribunal”);

**BEING SEISED** of the Defendant Ante Gotovina’s Motion for *Subpoena Duces Tecum* to Prosecutor Serge Brammertz to Appear at the Hearing of 16 December 2009, filed on 10 December 2009, and oral motions for further orders made in court on the same day (“Motions”);

**NOTING** the submissions of the parties made in court on 10 December 2009;

**FINDING** it appropriate to hear further submissions from the parties and the Republic of Croatia with regard to the Motions;

**PURSUANT** to Article 29 of the Statute of the Tribunal and Rule 54 of the Tribunal’s Rules of Procedure and Evidence;


**HEREBY ORDERS** that a hearing be held on Friday 11 December 2009, at 2 p.m. in Courtroom III of the Tribunal;

**NOTING** that the primary focus of the hearing will be the Defence requests that all actions against the staff, equipment, information and premises of the Gotovina Defence and the Markač Defence be frozen;

**REQUESTS** the Republic of Croatia to appear before the Chamber through (an) authorized and informed representative(s) at the time and place indicated above;

**INSTRUCTS** the Registrar to serve the present Order on the Government of the Republic of Croatia, *per* the Embassy of the Republic of Croatia to the Kingdom of the Netherlands, The Hague.

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



Judge Alphons Orié  
Presiding Judge

Dated this eleventh day of December 2009  
At The Hague  
The Netherlands

**[Seal of the Tribunal]**