



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-A  
Date: 7 July 2011  
Original: English

**IN THE APPEALS CHAMBER**

**Before:** Judge Theodor Meron, Pre-Appeal Judge  
**Registrar:** Mr. John Hocking  
**Order of:** 7 July 2011

**PROSECUTOR**

v.

**ANTE GOTOVINA  
MLADEN MARKAČ**

**PUBLIC**

**ORDER AMENDING TIME LIMITS FOR ANY MOTION  
REPLYING TO THE ‘PROSECUTION RESPONSE TO  
GOTOVINA’S APPLICATION PURSUANT TO RULE 54 *BIS*’**

**The Office of the Prosecutor:**

Ms. Helen Brady  
Mr. Douglas Stringer

**Counsel for Ante Gotovina:**

Mr. Gregory Kehoe, Mr. Luka Mišetić, Mr. Payam Akhavan, and Mr. Guénaél Mettraux

**Counsel for Mladen Markač:**

Mr. Goran Mikuličić, Mr. Tomislav Kuzmanović, Mr. Kai Ambos, Mr. John Jones

**I, THEODOR MERON**, Judge of the Appeals 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 (“Appeals Chamber” and “Tribunal”, respectively), and Pre-Appeal Judge in this case;<sup>1</sup>

**BEING SEISED** of “Ante Gotovina’s Motion to Strike ‘Prosecution Response to Gotovina’s Application Pursuant to Rule 54 *bis*’” filed by Ante Gotovina (“Gotovina”) on 7 July 2011 (“Motion”);<sup>2</sup>

**NOTING** that the Motion claims that the “Prosecution Response to Gotovina’s Application Pursuant to Rule 54 *bis*”<sup>3</sup> was filed on 6 July 2011, outside the relevant time limits, and asks that the Response be struck or, alternatively, that Gotovina be granted four days to file his reply, running from the date of any relevant order by the Appeals Chamber accepting the Response to reply;<sup>4</sup>

**NOTING** that due to a clerical error, the Motion was not distributed to Gotovina and his counsel;

**CONSIDERING** that the clerical error should not result in any prejudice to Gotovina;

**CONSIDERING** Rules 54 and 107 of the Rules of Procedure and Evidence of the Tribunal;

**FOR THE FOREGOING REASONS,**

**GRANT** the Motion in part;

**ORDER** Gotovina to file any reply to the Response within four days of the present order; and

**OTHERWISE DENY** the Motion.

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<sup>1</sup> *Prosecutor v. Ante Gotovina and Mladen Markač*, Case No. IT-06-90-A, Order Designating a Pre-Appeal Judge, 30 May 2011.

<sup>2</sup> This order has been issued without awaiting a response from the Office of the Prosecutor (“Prosecution”) in view of the lack of prejudice to it and the urgency of clarifying the deadlines faced by Gotovina.

<sup>3</sup> Filed confidentially by the Prosecution on 4 July 2011 (“Response”). A public redacted version was filed on 6 July 2011.

<sup>4</sup> Motion, paras 5, 6.

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

Done this 7th day of July 2011,  
at The Hague,  
The Netherlands.



Judge Theodor Meron  
Pre-Appeal Judge

**[Seal of the Tribunal]**