



International Tribunal for the Prosecution of
Persons Responsible for Serious Violations of
International Humanitarian Law Committed in
the Territory of Former Yugoslavia since 1991

Case No. IT-06-90-PT

Date: 10 October 2007

Original: English

IN TRIAL CHAMBER I

Before: Judge Alphons Orie, Presiding
Judge Christine Van Den Wyngaert
Judge Bakone Justice Moloto

Registrar: Mr. Hans Holthuis

Order of: 10 October 2007

PROSECUTOR

v.

**ANTE GOTOVINA
IVAN ČERMAK
MLADEN MARKAČ**

PUBLIC

**SCHEDULING ORDER AND INCORPORATED ORDER
SUSPENDING PROVISIONAL RELEASE**

The Office of the Prosecutor

Mr. Alan Tieger
Mr. Marks Moore

Government of the Republic of Croatia

Government of the Kingdom of the Netherlands

Counsel for the Accused

Mr. Luka S. Mišetić, Mr. Gregory Kehoe and Mr. Payam Akhavan for Ante Gotovina
Mr. Steven Kay for Ivan Čermak
Mr. Goran Mikuličić for Mladen Markač

TRIAL CHAMBER I (“Trial 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”);

CONSIDERING Rule 65 *bis*(A) of the Rules of Procedure and Evidence (“Rules”) according to which a status conference shall be convened within one hundred and twenty days after the last status conference;

CONSIDERING that the last status conference was held on 6 July 2007;

CONSIDERING that the Accused Čermak and the Accused Markač are on provisional release in the Republic of Croatia (“Croatia”) pursuant to Rule 65 of the Rules and that according to the conditions applicable to their provisional release they shall “return to the custody of the International Tribunal at such time and on such date as the Trial Chamber may order” and “comply strictly with any order by the Trial Chamber varying the terms of, or terminating, the provisional release”;¹

PURSUANT TO Article 29 of the Statute of the Tribunal and Rules 65 and 65 *bis*(A);

ORDERS that a status conference take place on Friday 26 October 2007, starting at 1415 hours, in Courtroom 3;

ORDERS that the Accused Ivan Čermak and Mladen Markač return to the United Nations Detention Unit in order to attend the status conference and therefore **SUSPENDS** their provisional release;

ORDERS the Government of Croatia to ensure that each Accused is transported, under guard, from the municipality of Zagreb, Croatia, to Schiphol Airport or any other airport in the Netherlands and released into the custody of designated officials of the Government of the Kingdom of the Netherlands (“Netherlands”);

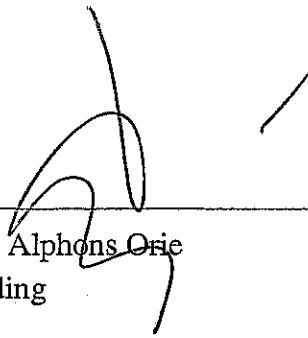
ORDERS the Government of the Netherlands to ensure that each Accused is transported, under guard, from Schiphol Airport or any other airport in the Netherlands to the United Nations Detention Unit;

¹ *Prosecutor v. Ivan Čermak and Mladen Markač*, Case No. IT-03-73-AR65.1, Decision on interlocutory appeal against Trial Chamber’s decision denying provisional release, 2 December 2004, para. 44(a)(xii-xiii). See also, *inter alia*, *Prosecutor v. Ante Gotovina et al.*, Case No. IT-06-90-PT, Order of provisional release for Mladen Markač, 9 February 2007, p. 3; *Prosecutor v. Ante Gotovina et al.*, Case No. IT-06-90-PT, Decision to reinstate the provisional release of Ivan Čermak, 15 February 2007, pp 5-6.

ORDERS the Government of Croatia, the Government of the Netherlands and the Registry of the Tribunal to communicate with each other to facilitate the orderly and timely return of each Accused to the United Nations Detention Unit;

ORDERS that the suspension of the provisional release shall remain in effect until modified by the Trial Chamber.

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



Judge Alphons Orie
Presiding

Dated this tenth day of October 2007

At The Hague

The Netherlands

[Seal of the Tribunal]