



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-04-81-T

Date: 26 May 2009

Original: English

IN TRIAL CHAMBER I

Before: Judge Bakone Justice Moloto, Presiding
Judge Pedro David
Judge Michèle Picard

Registrar: Mr. John Hocking

Decision of: 26 May 2009

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

**DECISION ON PROSECUTION REQUEST FOR
ADMISSION INTO EVIDENCE OF DOCUMENTS ON
SEVENTH SUPPLEMENTAL EXHIBIT LIST**

The Office of the Prosecutor

Mr. Mark Harmon
Mr. Daniel Saxon

Counsel for the Accused

Mr. Novak Lukić
Mr. Gregor Guy-Smith

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”);

BEING SEISED OF the “Prosecution Request for Admission into Evidence of Documents on Seventh Supplemental Exhibit List”, filed publicly on 27 April 2009 (“Motion”), whereby the Prosecution requests that 76 documents specified in the Confidential Annex to the Motion (“Documents”) be admitted into evidence;¹

NOTING that in a previous ruling, the Trial Chamber allowed that the Documents be added to the Prosecution’s Rule 65 *ter* exhibit list;²

NOTING that the Defence does not object to the admission into evidence of the Documents;³

NOTING that the document with Rule 65 *ter* number 9446 has already been admitted as P1009 (under seal)⁴ and that therefore, it will not be admitted again;

CONSIDERING that the Documents appear to have probative value and be relevant to the Prosecution’s allegations of personnel and logistical assistance provided by the VJ to the VRS, including the establishment and operation of special purpose personnel centres;⁵

PURSUANT to Rules 65 *ter* and 89 of the Rules

GRANTS the Motion;

ORDERS that the following items listed in the Confidential Annex to the Motion shall be admitted into evidence under seal: Rule 65 *ter* numbers 9190.03, 9438, 9438.01-9438.31, 9439, 9439.01-9439.06, 9440 and 9440.01-9440.05;

ORDERS the public admission into evidence of the remaining Documents specified in the Confidential Annex to the Motion, with the exception of document Rule 65 *ter* 9446; and

¹ Motion, para. 1. The Prosecution subsequently advised the Chamber’s Legal Officer by e-mail which of the items listed in the Confidential Annex should be admitted under seal.

² Decision on Prosecution Motion for Leave to File a Seventh Supplemental Rule 65 *ter* Exhibit List, 17 March 2009, p. 5.

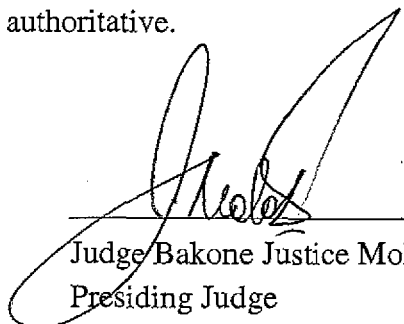
³ Motion, para. 2. On 21 May 2009, the Defence orally confirmed their agreement to the Chamber’s Legal Officer.

⁴ Confidential Annex, p. 5.

⁵ Indictment, paras 9, 11.

DIRECTS the Registry to assign exhibit numbers to the admitted documents.

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



Judge Bakone Justice Moloto
Presiding Judge

Dated this twenty-sixth day of May 2009

At The Hague

The Netherlands

[Seal of the Tribunal]