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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 Former Yugoslavia since 1991

IT-04-81-T Case No.

Date:

20 November 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:

20 November 2009

## **PROSECUTOR**

v.

# MOMČILO PERIŠIĆ

#### **PUBLIC**

DECISION ON PROSECUTION'S MOTION TO REMOVE "MARKED FOR IDENTIFICATION" DESIGNATION OF EXHIBITS AND TO WITHDRAW ADDITIONAL EXHIBITS

# 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's Motion to Remove 'Marked for Identification' Designation of Exhibits and to Withdraw Exhibits with Annex A", filed publicly with confidential Annex A on 9 November 2009 ("Motion");

**NOTING** that in its Motion, the Prosecution requests that the Trial Chamber remove the "marked for identification" ("MFI") designation for seventy exhibits listed in confidential Annex A and admit them into evidence as exhibits;<sup>1</sup>

**NOTING** that the Prosecution also seeks to withdraw exhibits P1094, P1106, P1107, P1108, P1109, and P1110 that were previously designated as MFIs;<sup>2</sup>

NOTING that the Defence does not object to the relief sought in the Motion;<sup>3</sup>

**PURSUANT** to Rules 54 and 89 (C) of the Rules of Procedure and Evidence, the Trial Chamber hereby:

GRANTS the Motion; and

ADMITS into the evidence as exhibits seventy items listed in confidential Annex A to the Motion;

**ORDERS** to remove exhibits P1094, P1106, P1107, P1108, P1109, and P1110 from the evidence record.

<sup>&</sup>lt;sup>1</sup> Motion, para. 1.

<sup>&</sup>lt;sup>2</sup> Motion, para. 1.

<sup>&</sup>lt;sup>3</sup> Motion, paras 2-3.

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

Judge Bakone Justice Moloto

Presiding Judge

Dated this twentieth day of November 2009 At The Hague The Netherlands

[Seal of the Tribunal]