



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 July 2010

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 July 2010

PROSECUTOR

v.

MOMČILO PERIŠIĆ

PUBLIC

**DECISION ON REQUEST TO MAKE CERTAIN
DOCUMENTS PUBLIC**

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 “Request to Make Certain Documents Public”, filed confidentially on 4 June 2010 (“Request”), whereby the Prosecution requests the Trial Chamber to make public the following documents:¹

1. Case No. IT-04-81-T, Request for Change in Status of Certain Exhibits Admitted Under Seal, with Annex A, filed confidentially on 14 May 2009;²
2. Case No. IT-04-81-T, Supplement to Request for Change in Status of Certain Exhibits Admitted Under Seal, with Revised Annex A, filed confidentially on 21 May 2009;³ and
3. Case No. IT-04-81-T, Decision on Prosecution’s Request for Change in Status of Certain Exhibits Admitted Under Seal, issued confidentially on 29 May 2009.⁴

NOTING the Prosecution’s submission that no confidential material is disclosed therein and that the Defence did not file a response;

RECALLING the general importance of maintaining the public character of proceedings in accordance with Articles 20(4) and 21(2) of the Statute of the Tribunal (“Statute”);

CONSIDERING that the above documents do not contain confidential information and that therefore there are currently no reasons for them to remain confidential;

PURSUANT TO Articles 20(4) and 21(2) of the Statute and Rule 54 of the Rules of Procedure and Evidence, **HEREBY**

GRANTS the Request; and

¹ Request, para. 1, citing Case No. IT-04-81-AR108*bis*, Decision on the Republic of Serbia’s Request for review of the Trial Chamber’s Decision of 15 February 2010, 15 April 2010, fn. 1.

² Signed on 13 May 2009. Request, para. 1.

³ Signed on 20 May 2009. Request, para. 1.

⁴ Request, para. 1.

DIRECTS the Registry to lift the confidentiality of the Request for Change in Status of Certain Exhibits Admitted Under Seal, with Annex A, filed confidentially on 14 May 2009; the Supplement to Request for Change in Status of Certain Exhibits Admitted Under Seal, with Revised Annex A, filed confidentially on 21 May 2009 and the Decision on Prosecution's Request for Change in Status of Certain Exhibits Admitted Under Seal, issued confidentially on 29 May 2009.

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



Judge Bakone Justice Moloto
Presiding Judge

Dated this twenty-sixth day of July 2010

At The Hague

The Netherlands

[Seal of the Tribunal]