



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-00-39-A
Date: 8 February 2008
Original: English

IN THE APPEALS CHAMBER

Before: Judge Fausto Pocar, Presiding
Judge Mohamed Shahabuddeen
Judge Mehmet Güney
Judge Andréia Vaz
Judge Theodor Meron

Registrar: Mr. Hans Holthuis

Decision of: 8 February 2008

PROSECUTOR

v.

MOMČILO KRAJIŠNIK

PUBLIC

**DECISION ON PROSECUTION'S MOTION TO LIFT SEAL ON
EXHIBIT P152**

The Office of the Prosecutor:

Ms. Shelagh McCall

The Accused:

Mr. Momčilo Krajišnik

Amicus Curiae:

Mr. Colin Nicholls

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 (“Tribunal”),

NOTING the Prosecution’s motion to lift the seal on Exhibit P152;¹

NOTING that Momčilo Krajišnik has not filed a response;

CONSIDERING that Exhibit P152 contains, *inter alia*, the plea agreement between Milan Babić and the Prosecution;²

CONSIDERING that, pursuant to Rule 62*ter* of the Rules of Procedure and Evidence of the Tribunal, Trial Chamber I has already lifted the seal on the documents contained in P152;³

CONSIDERING that the contents of Exhibit P152 are now in the public domain;

FINDING that lifting the seal on Exhibit P152 would enhance public accessibility to the work of the Tribunal and would not jeopardize any legitimate interests in confidentiality;

HEREBY GRANTS the Motion and **ORDERS** that the seal on Exhibit P152 be lifted.

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

Dated this 8th day of February 2008,
At The Hague, The Netherlands.



Fausto Pocar
Presiding Judge

[Seal of the Tribunal]

¹ Motion to Lift Seal on Exhibit P152, filed confidentially on 23 November 2007 (“Motion”).

² Motion, para. 1.

³ *Prosecutor v. Milan Babić*, Case No. IT-03-72-A, Decision on Motion to Lift Seal on the Joint Motions to Consider Plea Agreement Between Milan Babić and the Office of the Prosecutor Under Rule 62*ter*, 7 November 2007.