



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'S MOTION FOR
REVISED DECISION ON PROSECUTION'S SECOND
MOTION FOR TESTIMONY TO BE HEARD VIA
VIDEO-CONFERENCE LINK**

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 SEIZED of the “Prosecution’s Motion for Revised Decision on Prosecution’s Second Motion for Testimony to be Heard via Video-Conference Link” filed confidentially on 25 May 2009 (“Motion”), whereby the Prosecution requests a revised order for Mr. Muhamed Sacirbey’s testimony to be heard *via* video-conference link from the United States;

NOTING the “Decision on Prosecution’s Motion for Testimony to be Heard via Video-Conference Link” issued by this Trial Chamber confidentially on 18 May 2009 (“Video-Link Decision”), whereby the Trial Chamber granted a request to hear the evidence of Mr. Muhamed Sacirbey through video-conference link pursuant to Rule 81 *bis* of the Tribunal’s Rules of Procedure and Evidence (“Rules”) on 2 and 3 June 2009;

CONSIDERING that the Defence did not raise any objection;¹

CONSIDERING that in light of the ongoing attempts of the Prosecution to have Mr. Muhamed Sacirbey appear before the Trial Chamber in person, Mr. Muhamed Sacirbey’s testimony through the video-conference link is now required to be scheduled on a different date;

¹ E-mail sent to the Chambers’ Legal Officer on 25 May 2009.

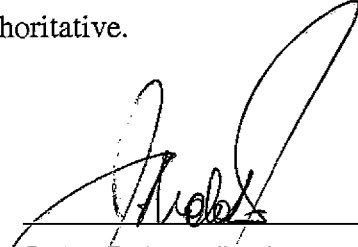
PURSUANT TO Article 29 of the Statute and Rules 54 and 81 *bis* of the Rules

GRANTS the Motion;

AMENDS the Video-Link Decision and **ORDERS** that the testimony of Mr. Muhamed Sacirbey shall be received through video-conference link to be scheduled on 15, 16, 17, 18 and 19 June 2009;

ORDERS that the remainder of the Video-Link Decision shall remain in force.

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]