



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***

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

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**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;<sup>1</sup>

**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;

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

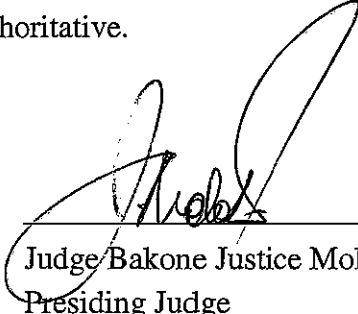
**PURSUANT TO** Article 29 of the Statute and Rules 54 and 81 *bis* of the Rules

**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.



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Judge Bakone Justice Moloto  
Presiding Judge

Dated this twenty-sixth day of May 2009

At The Hague

The Netherlands

[Seal of the Tribunal]