

**THE TRIAL CHAMBER**

**Case No:** STL-11-01/T/TC

**Before:** Judge David Re, Presiding  
Judge Janet Nosworthy  
Judge Micheline Braidy  
Judge Walid Akoum, Alternate Judge  
Judge Nicola Lettieri, Alternate Judge

**Registrar:** Mr Daryl Mundis

**Date:** 18 November 2014

**Original language:** English

**Classification:** Public

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**DECISION CLARIFYING THE CONDITIONS UNDER WHICH PARTICIPATING VICTIMS MAY ATTEND PROCEEDINGS**

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(Extract from Official Public Transcript of Hearing on 18 November 2014, page 2, line 4 to page 3, line 15)

On the 30th of October, 2014, the victims' legal representatives requested clarification from the Trial Chamber on the conditions under which participating victims may attend proceedings. They also notified the Chamber that a victim, victim 016, wished to attend the proceedings for two days during the week of 17 November 2014, that's this week. On the 13th of November, after the Prosecution and counsel for the Defence informed the Trial Chamber that they were not going to respond to the request, the Trial Chamber agreed that the victim could attend the proceedings.

With regard to the clarification sought on the conditions more generally under which participating victims may attend proceedings, the Trial Chamber reiterates, as it has previously, that it will deal upon request and on a case-by-case basis with requests for individual victims who attend in the courtroom. The reason for this is the following. The Statute of the Special Tribunal provides that the views and concerns of victims may be presented in court by their legal representatives, the three who have been appointed to do that

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are seated in the courtroom at the moment. They in this case present the views and concerns of some 70 victims, but physical and logistical considerations, and notably the Tribunal's limited resources and the size of the courtroom, impose limitations on the number of victims who can be present in the courtroom at any one time. These factors, when taken together, means that the victims' presence in the courtroom is not ordinarily required or is possible and is, therefore, exceptional. That is, the combination of the fact that their views and concerns are presented and the logistical and physical considerations we must consider.

The Trial Chamber will accordingly consider requests for the attendance of victims in the courtroom within that context. It may also consider whether the proceedings at which attendance is requested will be held in a public session, whether the testifying witness has any protective measures, and whether the victim has dual status pursuant to Rule 150(D) of the Special Tribunal's Rules of Procedure and Evidence, that is, they are a victim and a witness at the same time.

Finally, if a victim wishes to attend and observe the proceedings from a private victims' room near the courtroom, the legal representatives should simply notify the Trial Chamber's Legal Officer in advance.

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