

**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: 19 August 2015

Original language: English

Classification: Public

**DECISION GRANTING PROTECTIVE MEASURES TO WITNESSES PRH651,
PRH067, AND PRH065**

(Extract from Official Public Transcript of Hearing on 19 August 2015, page 1, line 25 to
page 4, line 2)

It's a decision on filing F2082, Prosecution motion for protective measures for PRH651, PRH067, PRH065, filed on the 16th of July, 2015.

In the motion filed on the 16th of July, the Prosecution has requested protective measures for those three witnesses. In statements which are attached and listed in an annex which is public, the Prosecution details the individual security concerns that led the three witnesses to request protective measures. In a second annex, Annex B, the Prosecution made some additional confidential submissions on the requests concerning Witness 065.

In respect of the three witnesses, the Prosecution has sought the following protective measures: One, an order that the identities of Witness 065, 067, and 651 remain confidential and that the parties and participants, including victims participating in the proceedings who attend court sessions, shall maintain the confidentiality of the witnesses' identities and information which may identify them.

Two, using pseudonyms in all public hearings and public documents.

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Three, that any documents that are disclosed to the public must be redacted to protect the witnesses' identities and information which may identify them as witnesses at trial.

And four, an order that the media and any third parties, if they become aware of the identity of the witnesses or information which may identify them, are prohibited from disclosing the identity, whereabouts, and information which may identify the witnesses or anyone related to or associated with them unless that information has been publicly disclosed by the Special Tribunal.

No Defence counsel responded to the motions.

The Trial Chamber has carefully considered the Prosecution's submissions and the three statements provided in support of the request for protective measures, which are, as I mentioned a moment ago, unopposed by the Defence.

The Trial Chamber is satisfied that the protective measures sought are appropriate given the specific personal circumstances and security concerns voiced by these witnesses. The Trial Chamber is also satisfied that the measures sought will not prejudice the rights of the accused to a fair trial as the witnesses' identities have been disclosed to the Defence and they have received all the confidential material filed in support of the Prosecution motion. For these reasons, the Trial Chamber finds that the Prosecution's request complies with Rule 133 of the Special Tribunal's Rules of Procedure and Evidence in relation to the protective measures and accordingly grants the protective measures sought for the three witnesses as outlined in the three orders I referred to a moment ago.

In addition to the measures requested, the Prosecution also requests the Trial Chamber to maintain the confidential status of the statements annexed to Annex 1 to its motion and its submissions in Annex B.

Given that the annexes and statements contain personal details and identifying information relating to the witnesses and specify their security concerns, the Trial Chamber grants the requests and orders the annexes of the statements to remain confidential, but orders that redacted copies should be filed as soon as practicable.

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