

**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:** 14 October 2015

**Original language:** English

**Classification:** Public

---

**DECISION AUTHORISING WITNESS PRH018 TO TESTIFY BY VIDEO-  
CONFERENCE LINK**

---

(Extract from Official Public Transcript of Hearing on 14 October 2015, page 4, line 16 to page 6, line 12)

The Prosecution filed on the 19th of August, 2015, a "motion for authorization of video-conference link testimony for PRH018 and PRH087." That's filing [...] F2128. This decision is in respect of only Witness 18. As for Witness 87, the Prosecution dealt with the Prosecution's request in respect of this witness in its "Decision authorizing video-conference link testimony for Witness PRH087" on the 28th of September, 2015, in filing F2223.

On the 28th of May, 2015, the Trial Chamber granted protective measures for Witness 18. The Prosecution requests the Trial Chamber to authorize under Rules 124 of the Special Tribunal's Rules of Procedure and Evidence for the witness to testify via video conference link. On the 31st of August, 2015, counsel for the accused, Mr. Mustafa Amine Badreddine responded to the Prosecution's motion but took no position on the request for video-conference link testimony in filing F2153. No other responses were received from Defence counsel.

Interpretation serves to facilitate communication.  
Only the original speech is authentic.

On the Trial Chamber's query, the Registry made on the 29th of September, 2015, a submission entitled: "Submission pursuant to Rule 48(C) regarding logistical arrangements for video conference for Witness 018." That's filing F2226.

The Trial Chamber has carefully considered the specific family circumstances detailed in the Prosecution's application and the accompanying annex. The application is unopposed by any of the counsel for the accused, the five accused.

Having considered the nature of the evidence and the rights of the accused, the Trial Chamber is satisfied under Rule 124 that it is in the interests of justice to hear this witness via video-conference link. As we have held previously, testimony by video-conference link preserves the rights of the five accused by allowing for their effective cross-examination by Defence counsel.

Finally, for logistical reasons, the Trial Chamber invites the Defence counsel who intend to cross-examine Witness 18 to provide the Registry well in advance of the testimony with the paper versions of the material they anticipate to show to the witness during the testimony. I emphasize that's to the Registry and not to the Prosecution. The normal guideline applies in relation to releasing that material to the Prosecution at the end of the examination-in-chief.

Confidentiality.

In addition, the Prosecution requested the Trial Chamber to maintain the confidentiality of the annex filed with the motion, and the Registry requested to maintain the confidentiality of its submissions on the logistical arrangement put in place for the video-conference link testimony of this witness.

Those filings are annexed to filing F2128 and the Registry's filing F2226. This is because both of these submissions contain identifying information about the protected witness. The Trial Chamber therefore orders that both the annex to the Prosecution motion and the Registry's filing remain confidential.

Interpretation serves to facilitate communication.  
Only the original speech is authentic.