

**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:** 6 November 2015

**Original language:** English

**Classification:** Public

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**DECISION GRANTING PROTECTIVE MEASURES FOR WITNESS PRH050 AND PRH086**

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(Extract from Official Public Transcript of Hearing on 6 November 2015, page 2, line 8 to page 4, line 11)

It relates to filing F2271, "Prosecution motion for video-conference link testimony for PRH101, 289, 065, and protective measures for PRH101, 078, 650, 647, 050, 086, and 688," filed on the 16th of October, 2015, by the Prosecution.

This decision concerns only protective measures for Witness 50 and 86 as the Prosecution intends to read a summary of their statements today.

On the 4th of November, 2015, in filing F2304, that is "Decision on Prosecution motion to admit the statements of PRH081, 071, 050, 086,312, and 539, and to admit 37 documents related to the insurance policies of Salim Ayyash," the Trial Chamber declared the statements of those two witnesses admissible under Rule 155.

The two witnesses have requested protective measures because of security concerns affecting them or their families. They also fear that public identification would have a negative impact on their respective jobs and livelihoods.

The Prosecution requested the following protective measures for these witnesses:

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First, an order that their identities remain confidential and that 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.

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

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

Fourthly, that if the witnesses testify, their publicly broadcasted images and voices be distorted and unrecognizable.

And fifth, an order that the media and any third parties, if they become aware of the identities of the witnesses or information which may identify them, are prohibited from disclosing their identities, whereabouts, and information which may identify the witnesses, unless that information has been publicly disclosed by the Special Tribunal.

No Defence counsel opposed the request for protective measures.

The Trial Chamber has carefully considered the Prosecution's submissions and the statements provided in support of the request and is satisfied that the measures sought are appropriate given the security concerns voiced by the witnesses.

The Trial Chamber is satisfied 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's 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 protective measures and accordingly grants the measures sought for Witnesses 50 and 86.

The Prosecution has also requested the Trial Chamber to maintain the confidential status of the annex to the motion and the witness statements supporting the motion. Given that they contain personal details and identifying information and specify the security concerns, the Chamber grants the Prosecution's request and orders the annex and the statements remain confidential.

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