



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

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, Registrar

Date: 29 April 2016

Original language: English

Type of document: Public

THE PROSECUTOR

v.

**SALIM JAMIL AYYASH
MUSTAFA AMINE BADREDDINE
HASSAN HABIB MERHI
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA**

**ORDER TO PROSECUTION TO REPLY TO DEFENCE SUBMISSIONS
REGARDING STATEMENTS OF WITNESS PRH705**

Office of the Prosecutor:

Mr Norman Farrell, Mr Graeme Cameron
& Mr Alexander Milne

Legal Representatives of Victims:

Mr Peter Haynes, Mr Mohammad F. Mattar
& Ms Nada Abdelsater-Abusamra

Counsel for Mr Salim Jamil Ayyash:

Mr Eugene O'Sullivan, Mr Emile Aoun &
Mr Thomas Hannis

Counsel for Mr Mustafa Amine Badreddine:

Mr Antoine Korkmaz, Mr Iain Edwards &
Ms Mylène Dimitri

Counsel for Mr Hassan Habib Merhi:

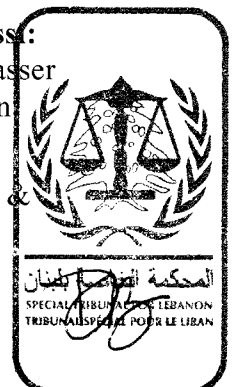
Mr Mohamed Aouini, Ms Dorothee Le Fraper
du Hellen & Mr Jad Khalil

Counsel for Mr Hussein Hassan Oneissi:

Mr Vincent Courcelle-Labrousse, Mr Yasser
Hassan & Ms Natalie von Wistinghausen

Counsel for Mr Assad Hassan Sabra:

Mr David Young, Mr Guénaél Mettraux &
Mr Geoffrey Roberts



1. The Prosecution has sought the admission into evidence—either in part or in whole—of four statements of Witness PRH705, the authorised representative of the Lebanese telecommunications provider, Touch, made in November and December 2015, and February 2016.¹ Counsel for the Accused, Mr Assad Hassan Sabra (joined by counsel for the Accused, Mr Salim Jamil Ayyash) responded to the motion, arguing that the Prosecution had failed to explain in any detail how the statements, or portions of them, are relevant (and probative) to the proceedings.² The motion should thus be dismissed *in limine*.

2. To assist the Trial Chamber in deciding the motion:

- **The Prosecution is ordered to reply to paragraphs 16 to 19 of the Sabra Defence response by midday, Monday 2 May 2016;** and
- **Any Defence sur-reply is to be filed by midday Tuesday 3 May 2016.**

3. The Trial Chamber is primarily interested in the submissions relating to relevance. Issues concerning the probative value of the statements may be explored, if necessary, with the witness in examination-in-chief.

Done in Arabic, English, and French, the English version being authoritative.

Leidschendam,
The Netherlands
29 April 2016

David Re

Judge David Re, Presiding

¹ STL-11-01/T/TC, *Prosecution v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F2553, Prosecution Motion for the Admission of Witness Statements signed by Witness PRH705, 18 April 2016.

² F2572, Sabra Defence Response to “Prosecution Motion for the Admission of Witness Statement signed by PRH705”, 28 April 2016, paras 16-19; F2573, Ayyash Defence Joinder to Sabra Defence Response to “Prosecution Motion for the Admission of Witness Statements signed by Witness PRH705”, 29 April 2016.

