

**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:** 21 July 2016

**Original language:** English

**Classification:** Public

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**DECISION ON SUPPLEMENTARY SUBMISSION TO PROSECUTION MOTION  
FOR THE ADMISSION OF YELLOW PHONE-RELATED CALL SEQUENCE  
TABLES AND RELATED STATEMENT**

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(Extract from Official Public Transcript of Hearing on 21 July 2016, page 83, line 20 to page 85, line 5)

It's in relation to the Prosecution's "Supplementary Submission to Prosecution Motion for the Admission of Yellow Phone-Related Call Sequence Tables and Related statement" filed on the 30th of May, 2016 in filing F2607. In that submission, the Prosecution informed the Chamber that it had identified a formatting error in call sequence table CST-0320 of the telephone 3345457 and they wish to substitute it with another one, namely, call sequence table CST-0422 using the same call data records and the same methodology but correcting the error.

They therefore request to amend their [...], exhibit list filed under Rule 91 of the Special Tribunal's Rules of Procedure and Evidence. And in support of this, they filed a statement of Witness PRH371, that is Ms. Helena Habraken, who has testified here in relation to the production of call sequence tables. The motion was unopposed by Defence counsel. The Chamber finds it's in the interests of justice to allow the amendment sought, that is, the substitution of the call sequence table 0320, with CST-0422, which has the ERN D0499821.

Interpretation serves to facilitate communication.

Only the original speech is authentic.

[...]

Secondly, they ask us to note [...] a correction to Annex A to “Prosecution Motion for the Admission of Call Sequence Tables related to the Movements of Rafik Hariri and Related Events,” that is filing 2140. The Chamber accordingly notes the corrected version of Annex A and any substitution.

Thirdly, the Prosecution moves for the admission into evidence of the statement of Ms. Helena Habraken, which is ERN 60318137 through to ERN 60318141, which annexes the corrected substituted call sequence table. The date of the statement is 26th of May, 2016.

The Chamber will accede to that request. The statement is relevant and has probative value and is admissible under Rule 155.

I will just turn to the Defence. Is there any objection of admitting Ms. Habraken’s statement into evidence without cross-examination, it just being a statement saying how she has [...] noted the formatting error and has corrected it and substituted the call sequence table? No. There is no objection.

The Chamber will admit the statement of Ms. Habraken as described into evidence under Rule 155 without cross-examination as P1109.

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