

**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: 29 November 2016

Original language: English

Classification: Public

DECISION ON PROSECUTION MOTION FOR ADMISSION OF PRH395 WITNESS STATEMENTS, DATED 25 NOVEMBER 2016

(Extract from Official Public Transcript of Hearing on 29 November 2016, page 46, line 14 to page 47, line 8)

[O]n 25th of November, 2016, in filing F2858, “Prosecution Motion to Admit the Statements of PRH395 Pursuant to Rule 155,” the Prosecution sought as is indicated in the title that it wished to admit into evidence the witness statements listed at Annex A to the motion in lieu of the witness testifying live in relation to his statements.

The Prosecution, at paragraph 12 of the motion, stated that counsel for Mr. Ayyash had been informed that the Prosecution was acceding to their request that they wished to cross-examine the witness, and the Prosecution was going to make the witness available for cross-examination.

Counsel for Mr. Ayyash have informed the Trial Chamber that they do not object to the witness's evidence being received into evidence under Rule 155 and him being cross-examined under Rule 156.

That being the case, the Trial Chamber grants the Prosecution's application and decides that it will admit into evidence the witness statements listed at Annex A to the

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Prosecution's motion under Rule 155 and require the witness to attend the proceedings either live in Leidschendam, the Netherlands, or by video-conference link for cross-examination under Rule 156.

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