

**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: 30 November 2016

Original language: English

Classification: Public

**DECISION DISMISSING PROSECUTION'S MOTION DATED 29 NOVEMBER 2016,
AND ORDERING PRH395 TO APPEAR IN PERSON**

(Extract from Official Public Transcript of Hearing on 30 November 2016, page 52, line 15 to
page 53, line 11)

The Prosecution on 29th of November, 2016, in filing F2861, “Prosecution Motion for Video-Conference Link Testimony for PRH395,” moved the Trial Chamber to authorize the testimony of the witness from video-conference link from the Tribunal's Beirut office under Rule 124 of the Special Tribunal's Rules of Procedure and Evidence.

Counsel for the accused, Mr. Salim Jamil Ayyash, opposed the application, arguing that the witness was important to the case against Mr. Ayyash, they had a number of documents, between 15 and 20, to present to the witness, and that the Prosecution had presented no specific reasons to justify calling this important witness by video-conference link.

Counsel for Mr. Ayyash made their arguments in court today, that is, the 30th of November, 2016. The Trial Chamber has carefully considered the arguments of the Prosecution and the Defence and is persuaded that the interests of justice lie in the witness

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appearing live in Leidschendam rather than the witness's evidence being heard via video-conference link.

The evidence, in the Trial Chamber's assessment, is important and the Prosecution has not put forward any reasons other than those of convenience to justify their request. And for this reason, the Trial Chamber dismisses the Prosecution's application and orders the witness to appear live in Leidschendam, the Netherlands.

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