

**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 August 2017

Original language: English

Classification: Public

**DECISION GRANTING LEGAL REPRESENTATIVE OF VICTIMS' RULE 155
MOTION WITH RESPECT TO V008, V010, V014 AND V080**

(Extract from Official Public Transcript of Hearing on 29 August 2017, page 63, line 21 to page 65, line 3)

The Legal Representatives of Victims filed a motion on the 21st of August, 2017, filing F3286, “The Legal Representative of Victims Motion for the Admission of Evidence Pursuant to Rules 154, 155, and 158, with Confidential Annexes A and B,” seeking the admission into evidence under Rule 155, without cross-examination, of 23 witness statements of participating victims; that is, those who have been granted victim participant status by the Pre-Trial Judge in decisions before the trial commenced.

This decision deals only with the statements of participating victims 8, 10, 14 and 80. The remaining 19 will be the subject of a written decision which the Chamber will publish very shortly.

In the application, the Legal Representative of Victims submitted that the interests of justice [...] should permit the Legal Representatives to tender the statements under Rule 155 in lieu of cross-examination as the statements do not directly go to the acts or conduct of the

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accused as charged in the amended consolidated indictment. And at paragraph 22 of the motion:

“Furthermore, the LRV submits that the personalization of the harm of the victims in the judgment to be delivered by the Trial Chamber is an essential requirement, given the regime of Article 25 of the Statute.”

Article 25 of the Statute refers specifically to compensation to victims, which is something which may be pursued by a participating victim or a victim at a later point.

The Chamber has carefully reviewed the statements of the four participating victims and notes that there was no opposition – [...] or response by the Prosecution or the counsel for the accused to the application. And the Chamber is satisfied that the four statements may be received into evidence under Rule 155 without requiring the witnesses to attend court for examination-in-chief or cross-examination.

In saying this, we note that four participating victims are actually present in the courtroom, and the Legal Representative of Victims wishes to move their admission into evidence today.

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