



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE TRIAL CHAMBER**SPECIAL TRIBUNAL FOR LEBANON**

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 January 2018

Original language: English

Classification: Public

THE PROSECUTOR

v.

SALIM JAMIL AYYASH
HASSAN HABIB MERHI
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA

**DECISION ADMITTING INTO EVIDENCE A SUPPLEMENTARY
CALL SEQUENCE TABLE AND A RELATED WITNESS STATEMENT**

Office of the Prosecutor:

Mr Norman Farrell & Mr Alexander Hugh Milne

**Legal Representatives of
Participating Victims:**

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

Counsel for Mr Salim Jamil Ayyash:

Mr Emile Aoun, Mr Thomas Hannis & Mr Chad Mair

Counsel for Mr Hassan Habib Merhi:

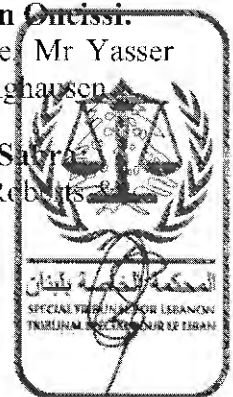
Mr Mohamed Aouini, Ms Dorothée Le Fraper du Hellen & Mr Jad Youssef Khalil

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 Geoffrey Roberts & Ms Sarah Bafadhel



INTRODUCTION

1. Through telecommunications evidence, the Prosecution seeks to prove that the former Lebanese Prime Minister, Mr Rafik Hariri, was under surveillance by the Accused in the months before his assassination on 14 February 2005 in Beirut, Lebanon. This includes proving the movements of the four Accused and a named co-conspirator, Mr Mustafa Amine Badreddine,¹ and relevant communications between Syrian and Lebanese officials and the Accused and Mr Badreddine. The Prosecution alleges that interconnected mobile telephone networks—operating in four closed networks, colour-coded as red, green, blue and yellow—were involved in planning, preparing and executing the attack, and a group of ‘purple’ mobiles were used to coordinate a false claim of responsibility for the attack, made soon after the explosion.²

2. The Trial Chamber has admitted call sequence tables related to Mr Hariri’s movements and events leading up to the attack of 14 February 2005. These included a call sequence table (CST/0369), comprising call data records and cell sector information for the period of 1 August 2004 to 30 April 2005, of a mobile that the Prosecution attributes to Brigadier-General Rustom Ghazaleh, a senior Syrian military intelligence officer stationed in Lebanon in 2004 and 2005.³ This is now exhibit P1340.

3. From January to mid-March 2017, the Prosecution led evidence of Mr Gary Platt (Witness PRH147), its expert in matters relating to the surveillance of criminal networks, and the identification and organisation of covert communications networks.⁴ Mr Platt testified in relation to his expert report, ‘Communications Evidence Concerning the Assassination of

¹ The proceedings against Mr Badreddine were terminated on 11 July 2016 pursuant to an order of the Appeals Chamber. See STL-11-01/T/AC/AR126.11, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F0019, Decision on Badreddine Defence Interlocutory Appeal of the “Interim Decision on the Death of Mr Mustafa Amine Badreddine and Possible Termination of Proceedings”, 11 July 2016. See also STL-11-01/T/TC, *Prosecutor v. Ayyash, Merhi, Oneissi and Sabra*, F2633, Order Terminating Proceedings against Mustafa Amine Badreddine without Prejudice and Ordering the Filing of an Amended Consolidated Indictment, 11 July 2016.

² F2720, Amended Consolidated Indictment, 12 July 2016, paras 14-15.

³ F2798, Decision on the Admission of Call Sequence Tables Related to the Movements of Mr Rafik Hariri and Related Events, and Four Witness Statements, 31 October 2016 (‘Decision of 31 October 2016’).

⁴ On 6 April 2016, in a decision delivered in court, the Trial Chamber declared Mr Platt qualified to give expert opinion in two limited areas: ‘matters connected with (1) the surveillance of criminal networks; and (2) the identification and organization of covert communications networks’. It provided written reasons for this decision on 13 April 2016. See Decision on Expert Witness Mr Gary Platt (PRH147) under Rule 161, delivered in court, transcript of 6 April 2016, p. 2; STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F2549, Decision Allowing Mr Gary Platt (Witness PRH147) to Give Expert Opinion Evidence, 13 April 2016; Decision Clarifying Mr Gary Platt’s Area of Expertise, delivered in court, transcript of 25 January 2017, pp 36-41.

Rafik Hariri: Chronology Report' dated 20 February 2014 and updated in July 2017,⁵ which is exhibit P1783.

4. The Prosecution submits that there is a contrast in the patterns of calls and movements of Mr Ghazaleh's mobile before and after the first 'Bristol Group' meeting on 22 September 2004, when Lebanese political blocs and interests jointly opposed to the Syrian interference in Lebanese affairs met at the Bristol Hotel in Beirut.⁶ To demonstrate this contrast, the Prosecution seeks the admission into evidence, under Rules 149 (C) and 154 of the Special Tribunal's Rules of Procedure and Evidence, of a supplementary call sequence table of the same mobile that comprises the relevant call data records for the period of 1 January to 31 July 2004, and its addition to the Prosecution's Rule 91 exhibit list. It also seeks the admission into evidence of the witness statement of the producer of the supplementary call sequence table, Prosecution analyst Ms Kei Kamei (Witness PRH308), under Rule 155.⁷

5. Counsel for Mr Salim Jamil Ayyash, in a belated response, and counsel for Mr Assad Hassan Sabra, oppose the Prosecution motion,⁸ and the Prosecution replied.⁹

SUBMISSIONS

Prosecution motion

6. The Prosecution has submitted that exhibit P1340, the call sequence table of the mobile, 3710010, attributed by the Prosecution to Mr Ghazaleh, includes nine call sequences that demonstrate movement of the mobile to Haret Hreik, Lebanon, consistent with meetings in the vicinity of the Hezbollah¹⁰ General Secretariat. Between 1 January 2004 and 14 February 2005 these meetings were confined to the period following the first Bristol Group

⁵ Mr Platt testified before the Trial Chamber on 4-6, 14-15 April, 26-27 July 2016, 17-19, 24-27 January, 6-9, 13-16, 21-24 February, 6-10, 13-17, 21-24 March, 4-7, 19 April 2017.

⁶ Exhibit P1780 – Chronology of Relevant Events, p. 3.

⁷ STL-11-01/T/TC, *Prosecutor v. Ayyash, Merhi, Oneissi and Sabra* F3454, Prosecution Motion for the Admission of a Supplementary Call Sequence Table Related to P01340 pursuant to Rule 154 and a Related Witness Statement pursuant to Rule 155, 4 December 2017 (public with confidential annexes A-C and public annex D) ('Prosecution motion').

⁸ F3493, Ayyash Defence Response to Prosecution Motion for the Admission of a Supplementary Call Sequence Table and a Related Witness Statement, 19 December 2017 ('Ayyash Defence response'); F3491 Corrected Version of Sabra Defence Response to Prosecution Motion for the Admission of a Supplementary Call Sequence Table and a Related Witness Statement, 20 December 2017 (public with confidential annexes A-B) ('Sabra Defence response').

⁹ F3505, Prosecution Reply to Ayyash Defence and Sabra Defence Responses to Prosecution Motion for the Admission of a Supplementary Call Sequence Table and a Related Witness Statement, 8 January 2018 ('Prosecution reply').

¹⁰ Hezbollah, (the Party of God), is a Shiite Muslim political party and military organisation in Lebanon, headed, since 1992, by its Secretary General, Mr Hassan Nasrallah. See F3104, Decision Admitting 12 Documents and a Witness' Statements related to Hezbollah, Its Officials and Telephone Numbers, 26 April 2017 ('Decision of 26 April 2017'), para. 3, footnote 5.

meeting on 22 September 2004, and reoccurred ‘at significant moments’ leading to the assassination, for example following the second Bristol Group meeting on 13 December 2004, and the final meeting between Mr Hariri and Mr Ghazaleh on 9 January 2005, when the former disagreed to Syrian demands related to the upcoming elections in Lebanon. Each visit took place shortly after Mr Ghazaleh contacted Mr Wafiq Safa, ‘the head of the central unit for liaison and coordination in Hezbollah’¹¹ and the only telephone link between Mr Ghazaleh and Mr Badreddine. These meetings form a pattern that is linked, in the Prosecution submission, to the intensification in the perceived threat posed by the opposition parties, the international community and Mr Hariri to the interests of Syria and the Resistance Movement,¹² and an increase of the activity of the covert networks and the purple mobiles.¹³

7. The supplementary call sequence table is relevant to demonstrate that this ‘pattern of behaviour’ between Mr Ghazaleh and Mr Safa was absent between 1 January and 22 September 2004. It shows that the movement of Mr Ghazaleh’s mobile to Haret Hreik consistent with a meeting there occurred on three occasions in this period following contacts with Mr Hussein Khalil, an advisor to the Secretary General of Hezbollah, Mr Hassan Nasrallah.¹⁴ These occurred before and after May 2004, when Mr Hariri received threats from Mr Ghazaleh for resisting his interference with the electoral lists for the municipal elections in Beirut.¹⁵

8. The table bears sufficient indicia of reliability, as it is an extract from the underlying call data records and cell site information from the business records of the Lebanese mobile telecommunications service provider, MTC/Touch. Ms Kamei produced it in line with the protocol she has already described in court. The table’s reliability can be tested by comparing it to the underlying material which has been disclosed to the Defence.¹⁶ Its admission is, therefore, not prejudicial to the Defence as counsel had the opportunity to cross-examine the analyst and the representative of MTC/Touch.¹⁷ Further, it is in the interests of justice to allow the addition of this table to the exhibit list. Notwithstanding an oversight for not tendering it before, issues which the table supports have already been addressed.¹⁸

¹¹ See exhibits P2091, P2102 at para. 61.

¹² Hezbollah’s military wing is also referred to as the ‘national resistance group’ or the ‘Islamic Resistance’ with a goal to defend Lebanon from Israel. See Decision of 26 April 2017, footnote 5.

¹³ Prosecution motion, paras 11-14.

¹⁴ Prosecution motion, para. 15.

¹⁵ Prosecution motion, para. 16.

¹⁶ Prosecution motion, paras 17-22.

¹⁷ Prosecution motion, paras 23-26.

¹⁸ Prosecution motion, paras 6-9.

9. The Prosecution seeks the admission into evidence of Ms Kamei's witness statement under Rule 155, without requiring her to appear for cross-examination. It is relevant to the reliability of the supplementary call sequence table as it details the source material that she used and the methodology that she followed to produce this table. The statement displays the necessary indicia of reliability and complies with the requirements of the Rule 155 Practice Direction.¹⁹ It does not concern the acts and conduct of the Accused.²⁰

Ayyash Defence response

10. The Ayyash Defence opposes the Prosecution application, as it did with respect to the admission of the previously tendered call sequence table of Mr Ghazaleh's mobile. The Prosecution fails to link the alleged 'pattern of behaviour' of the mobile before and after 22 September 2004 to the facts pleaded in the amended consolidated indictment. At most, meetings between Mr Ghazaleh and Mr Safa, if they occurred, could be tangentially relevant to the political background surrounding the pleaded facts. However, without knowing their content, it is unclear how these meetings are relevant to the alleged conspiracy. The supplementary call sequence table is not probative of anything material in this trial. The Prosecution has failed to attribute 3710010 to Mr Ghazaleh, and the Trial Chamber in its previous decision did not address this Defence argument. The Prosecution relies only on an entry of a telephone number next to Mr Ghazaleh's name in the telephone directory of the Quraitem Palace,²¹ Mr Hariri's residence in Beirut, but failed to present any evidence as to how this entry had been made.²²

11. The Prosecution improperly relies on demonstrative evidence to show the lack of prejudice to the Defence. It uses its counsel's submissions made before the tendering of the supplementary call sequence table into evidence, and demonstrative evidence to establish its relevance.²³

12. Because the Prosecution has failed to establish the relevance and probative value of the supplementary call sequence table, Ms Kamei's witness statement is similarly irrelevant.

¹⁹ STL-PD-2010-02, Practice Direction on the Procedure for Taking Depositions under Rules 123 and 157 and for Taking Witness Statements for Admission in Court under Rule 155, 15 January 2010.

²⁰ Prosecution motion, paras 27-29.

²¹ Exhibit P535.

²² Ayyash Defence response, paras 4-15.

²³ Ayyash Defence response, paras 16-24.

However, if the Trial Chamber admits the table, the Ayyash Defence does not require Ms Kamei for cross-examination.²⁴

Sabra Defence response

13. The Sabra Defence objects to the addition of the supplementary call sequence table to the Prosecution's exhibit list and to its admission into evidence because it lacks relevance and the Prosecution has not shown good cause. It argues that since the admission of exhibit P1340 the Prosecution has expanded its position, and it now draws inferences to in-person meetings between Mr Ghazaleh and Mr Safa, and to a 'pattern of behaviour'. Failing to plead its case as to the specific roles that Mr Ghazaleh and Mr Safa played in Mr Hariri's assassination, the Defence is not on notice of the relevance of this pattern of behaviour which the Prosecution ascribes to Mr Ghazaleh. Access to the call data records underlying the call sequence tables does not equate to notice. The Prosecution should have relied on such patterns before the completion of Mr Platt's testimony. Then the Defence would have been in the position to properly put its case as to these inferences on the movements of Mr Ghazaleh's mobile in early 2004.²⁵

14. What the Prosecution asserts is not borne out by the supplementary call sequence table or any other evidence. The Prosecution submits that Mr Safa was the only common telephone link between Mr Ghazaleh and Mr Badreddine but fails to explain Mr Safa's role in Mr Hariri's assassination, or the nature of the calls between Mr Ghazaleh and Mr Khalil, and between Mr Ghazaleh and Mr Safa. Relying on the supplementary call sequence table for proof of absence of contact or movement is not definitive as communication between persons could have occurred by other means. The increase of calls between the mobiles attributed to Mr Ghazaleh and Mr Safa in late 2004 pales in significance compared to the increase in contacts between the mobiles attributed to Mr Tareq Fakhreddine²⁶ and Mr Ghazaleh.²⁷

Prosecution reply

15. The Prosecution replies that if the Ayyash Defence finds that its arguments had not been addressed it should have sought certification to appeal or reconsideration of the

²⁴ Ayyash Defence response, para. 25.

²⁵ Sabra Defence response, paras 1-4.

²⁶ According to the Sabra Defence, Mr Fakhreddine was suspected by the United Nations International Independent Investigation Commission of involvement in the purchase and distribution of the red network mobiles which the Defence considers were decoys, used to distract the investigators from focusing on the real perpetrators of the assassination. See Sabra Defence response, para. 11.

²⁷ Sabra Defence response, paras 5-13.

Trial Chamber's decision on the admission of the call sequence table of Mr Ghazaleh's mobile. The Prosecution's attribution of 3710010 to Mr Ghazaleh is also supported by the movement of the mobile in conjunction with Mr Ghazaleh's known movements, and its contact profile in addition to the telephone directory of the Quraitem Palace. Contrary to the Ayyash Defence submission, the Prosecution merely sought to show that the issue addressed by the supplementary call sequence table has already been raised in its counsel's submissions and explained in demonstrative evidence, therefore it is not new and would not cause prejudice to the Defence.²⁸

16. With regards to the Sabra Defence response, the reply emphasises that the Prosecution's oversight lay not in neglecting to reference the pattern of behaviour of Mr Ghazaleh's mobile but in tendering into evidence the supplementary call sequence table to establish that this pattern only began immediately after the first Bristol Group meeting. The Prosecution addressed the nature of movements of Mr Ghazaleh's mobile to Haret Hreik before and after 22 September 2004 after his contacts with Mr Khalil and Mr Safa, respectively. The Prosecution did not point to an increase of contacts between Mr Ghazaleh and Mr Safa, rather it illustrates a close link, 'akin to a trigger', between key political events threatening Syrian control, Mr Ghazaleh's need for visiting Haret Hreik immediately after his calls with Mr Safa and the key phases of covert network and purple mobile activity. The Sabra Defence's alternative theory as to a link between Mr Ghazaleh and Mr Fakhreddine has no bearing on the admissibility of the supplementary call sequence table.²⁹

LEGAL PRINCIPLES

17. The Trial Chamber has previously acknowledged the general principles and rules of international criminal law relating to the admission and exclusion of evidence. The Trial Chamber in receiving evidence has followed the inclusionary approach of the Special Tribunal's Rules.³⁰ It has also applied the procedural safeguards for the admission of documents tendered 'from the bar table', under Rule 154, and those governing the amendment of a party's exhibit list, and the principles applicable to admitting witness statements into

²⁸ Prosecution reply, paras 2-9. The Prosecution also acknowledges a typographical error in one of the footnotes in its motion raised by the Ayyash Defence in its response.

²⁹ Prosecution reply, paras 10-16.

³⁰ Decision of 26 April 2017, para. 6; F2815, Decision on the Admission of Documents Related to Telephone Subscriber and User Information, 4 November 2016, paras 65-66.

evidence under Rule 155, without requiring a witness to attend court for cross-examination.³¹ These are applicable here.

DISCUSSION

Time of filing the Ayyash Defence response

18. The Ayyash Defence acknowledges that due to an inadvertent counting error it missed the deadline for filing responses as foreseen in Rule 8 by one day, and requests the Trial Chamber to consider its response as duly filed under Rule 9 (A) (ii) as it raises important matters.³² The Prosecution did not object.³³ The Trial Chamber considers that the belated filing did not cause undue delay in determining the Prosecution application, and therefore it recognises the Ayyash Defence response as validly filed.

The supplementary call sequence table

19. The tendered call sequence table (CST/0446) is a 437-page document comprising call data records of the MTC/Touch mobile 3710010 for the period of 1 January to 31 July 2004, including cell-ID and cell name (of mobile cell sectors). Ms Kamei produced it using the methodology described in her previous statement, exhibit P516.

20. The Trial Chamber has held that the telecommunications evidence received from the MTC/Touch—including the cell site evidence and the call data records—is generally *prima facie* reliable.³⁴ Ms Kamei and other Prosecution analysts have testified as to the design, implementation and maintenance of the Prosecution structured query language (SQL) database, that enables call record analysis, and on the production of call sequence tables. The Defence raised no objection regarding the reliability of the supplementary call sequence table. The Trial Chamber is therefore satisfied that the tendered table is *prima facie* reliable and has some probative value.

21. The Trial Chamber has admitted call sequence tables which are relevant to and probative of the political background surrounding the material facts pleaded in the amended

³¹ See e.g. F3479, Decision on Prosecution Motion to Admit Two Documents and One Witness Statement and for Protective Measures for Witness PRH088, 13 December 2017, paras 5-8; F3202, Decision on the Admission of 27 Documents and One Witness Statement Relating to the Attribution of Mobile Numbers to Hassan Habib Merhi, 29 June 2017, paras 22-23, 38; Decision of 31 October 2016, para. 68.

³² Ayyash Defence response, para. 27.

³³ Email from co-counsel for Mr Ayyash to the Trial Chamber's legal officers and Prosecution counsel of 19 December 2017.

³⁴ STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F2597, Written Reasons for the Trial Chamber's Decision on Prosecution Motion for the Admission of Statements by Witness PRH705, 13 May 2016, paras 19-20.

consolidated indictment, including the call sequence table of the MTC/Touch mobile 3710010 that the Prosecution attributes to Mr Ghazaleh.³⁵ It held that these call sequence tables purport to provide information on the existence and nature of Mr Hariri's meetings with Mr Ghazaleh, the chronology of events before his assassination, and interactions between Syrian and Hezbollah officials.³⁶

22. The Trial Chamber has also admitted evidence relevant to the political situation in Lebanon preceding Mr Hariri's assassination, which included Mr Hariri's personal and political relationships with relevant players in Lebanon and Syria including the Syrian leadership, Syrian intelligence operatives in Lebanon and political movements and parties. This evidence could help to explain the wider circumstances leading to Mr Hariri's assassination, and, in general, could also be used to explain the non-private motives for the commission of any offence that the Trial Chamber could find proven.³⁷

23. The Trial Chamber is satisfied that the supplementary call sequence table is relevant to demonstrate a contrast between the patterns of activities of the mobile attributed by the Prosecution to Mr Ghazaleh before and after the first Bristol Group meeting on 22 September 2004. Based on the telephone directory of the Quraitem Palace, exhibit P535, the number 3710010 may be attributable to Mr Ghazaleh; nothing suggests the opposite. The supplementary call sequence table is probative of the chronology of events preceding Mr Hariri's assassination, the interactions between Syrian and Hezbollah officials, and hence the political background surrounding the material facts pleaded in the amended consolidated indictment.

Exhibit addition

24. The Trial Chamber finds that the Prosecution motion is slim in showing good cause for the delay in seeking to amend its exhibit list, especially since Prosecution counsel made submissions in court in January 2017 in relation to calls included in the table. Nevertheless, the Trial Chamber considers that adding this supplementary call sequence table to the exhibit list is in the interests of justice notwithstanding the advanced stage of the proceedings. The

³⁵ Decision of 31 October 2016.

³⁶ Decision of 31 October 2016, para. 59.

³⁷ Decision of 31 October 2016; F1802, Decision on Prosecution's Motion for Admission into Evidence of 485 Documents, Photographs and Witness Statements Relevant to Rafik Hariri's Movements and to Political Events, 30 December 2014, para. 30; F1785 Decision on the Prosecution Motion for Admission under Rule 155 of Written Statements in Lieu of Oral Testimony Relating to Rafik Hariri's Movements and Political Events, 11 December 2014, para. 13; Decision on the Scope of Mr Marwan Hamade's Evidence, transcript of 17 November 2014, pp 2-15, in particular pp 10-11; Decision on Adding Mr Walid Jumblatt and Mr Ali Mohammad Hamade to the Prosecution's Witness List, transcript of 9 December 2014, pp 7-13.

tendered table is relevant and probative, and the Defence has notice of its significance to the Prosecution case. Granting the Prosecution application would not cause further undue delay.

Ms Kamei's witness statement

25. In her statement of 21 November 2017, Ms Kamei states that she has used the same methodology to produce the supplementary call sequence table as described in detail in her previous statement of 14 January 2015, admitted as exhibit P516, and details the source material on which she has relied.

26. The Trial Chamber is satisfied that Ms Kamei's statement is relevant to and probative of the reliability of the supplementary call sequence table. It bears the sufficient indicia of reliability and complies with Rule 155 Practice Direction. The Defence did not raise objection as to the reliability of this statement, and it does not concern the acts and conduct of the Accused as charged in the amended consolidated indictment. The Trial Chamber therefore finds Ms Kamei's statement admissible under Rule 155 and will admit it into evidence.

CONFIDENTIALITY

27. The Prosecution seeks to maintain the confidentiality of annexes A-C to the Prosecution motion because they contain confidential information specific to protected witnesses and third parties.³⁸ Counsel for Mr Sabra submitted confidential annexes A-B to its response as both refer to complete telephone numbers of third parties.³⁹

28. The Trial Chamber reiterates the principle of the public nature of proceedings before the Special Tribunal, and that documents should, wherever possible, be filed publicly. The Trial Chamber orders the Prosecution and the Sabra Defence to file public redacted versions of these annexes.

DISPOSITION

FOR THESE REASONS, the Trial Chamber:

GRANTS the Prosecution application to amend its Rule 91 exhibit list to add the supplementary call sequence table (CST/0446);

DECLARES admissible, under Rule 154, the supplementary call sequence table (CST/0446);

³⁸ Prosecution motion, para. 30.

³⁹ Sabra Defence response, para. 16.

DECLARES admissible, under Rule 155, the accompanying statement of Ms Kei Kamei (Witness PRH308) of 21 November 2017;

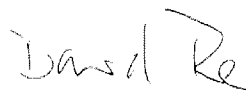
DECIDES that it will, at a suitable stage in the proceedings, formally admit these documents into evidence and allocate exhibit numbers to them;

ORDERS the Prosecution and the Sabra Defence to file public redacted versions of the annexes filed confidentially with their respective filings; and


GRANTS the Ayyash Defence request to recognise its response as validly filed under Rule 9 (A) (ii).

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

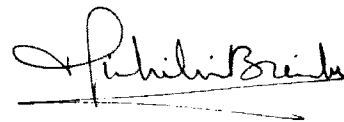
Leidschendam,
The Netherlands
29 January 2018



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

