



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

**THE PRE-TRIAL JUDGE**

Case No.: **STL-18-10/I/PTJ**

The Pre-Trial Judge: **Judge Daniel Fransen**

The Registrar: **Mr Daryl Mundis**

Date: **19 September 2019**

Original language: **French**

Classification: **Public**

**THE PROSECUTOR**  
v.  
**SALIM JAMIL AYYASH**

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**ORDER SETTING THE DEADLINE FOR THE FILING OF APPLICATIONS TO  
OBTAIN THE STATUS OF VICTIM PARTICIPATING IN THE PROCEEDINGS**

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**Office of the Prosecutor:**

Mr Norman Farrell

**Defence Office:**

Ms Dorothee Le Fraper du Hellen



## **I. Discussion**

1. The Pre-Trial Judge has confirmed the indictment of 14 June 2019 relating to the attacks carried out against Messrs Hamade, Hawi and El-Murr on 1 October 2004, 21 June 2005 and 12 July 2005 respectively (“Indictment” and “connected attacks”).<sup>1</sup>

2. The Statute and the Rules of Procedure and Evidence of the Tribunal (“Rules”) govern the modalities of participation in the proceedings of victims of crimes falling within the jurisdiction of the Tribunal. As such, Article 17 of the Statute provides:

Where the personal interests of the victims are affected, the Special Tribunal shall permit their views and concerns to be presented and considered at stages of the proceedings determined to be appropriate by the Pre-Trial Judge or the Chamber and in a manner that is not prejudicial to or inconsistent with the rights of the accused and a fair and impartial trial. Such views and concerns may be presented by the legal representatives of the victims where the Pre-Trial Judge or the Chamber considers it appropriate.

3. Furthermore, according to Rule 86 (A) of the Rules, following the confirmation of an indictment, a person claiming to be a victim of a crime falling within the jurisdiction of the Tribunal may request the Pre-Trial Judge to be granted the status of victim participating in the proceedings, and in making his decision, the Pre-Trial Judge shall consider the criteria set out in Rule 86 (B) of the Rules. In addition, by virtue of Rule 89 (B) of the Rules, the Pre-Trial Judge shall ensure that the proceedings are not unduly delayed by taking, for this purpose, any measures necessary to prepare the case for a fair and expeditious trial.

4. To this end, the Pre-Trial Judge considers that it is appropriate to identify the victims participating in the proceedings at the earliest opportunity so that they might present their views and concerns and exercise their rights and obligations pursuant to the Rules. Therefore, it is appropriate to set a deadline for the filing of applications to obtain the status of victim participating in the proceedings from those persons claiming to be victims of crimes relating to the connected attacks mentioned in the Indictment.

5. Persons claiming to be victims of the crimes mentioned in the Indictment that so wish are therefore invited to file their request to participate in the proceedings, by completing the application form to participate in the proceedings produced by the Victims’ Participation Unit,

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<sup>1</sup> The Indictment of 14 June 2019 is the second revised version of the indictment filed on 14 December 2018 and confirmed by the Pre-Trial Judge on 15 May 2019.

(“Form” and “VPU”), which takes into account the criteria set out in Rule 86 (B) of the Rules, by the date set out in the disposition of this order.

6. In order to ensure the proper implementation of this order, the VPU should take any measures necessary to ensure the dissemination of this order together with the Form to the persons concerned. Lastly, in order to ensure that the procedure is expeditious, the VPU should, in accordance with Rule 51 (B) (iii) of the Rules, transmit to the Pre-Trial Judge any applications for participation as early as possible and as and when received and, if necessary, a translation thereof.

## **II. Disposition**

**FOR THESE REASONS,**

**PURSUANT TO** Article 17 of the Statute, and Rules 48 (C), 51 (B), 86 (A), 86 (B) and 89 (B) of the Rules,

**THE PRE-TRIAL JUDGE,**

**INVITES** persons claiming to be victims of the crimes mentioned in the Indictment and wishing to obtain the status of victim participating in the proceedings to file their request by completing the Form by 2 December 2019 at the latest;

**ORDERS** the VPU to take any measures necessary to ensure the dissemination of this order and the Form to the persons concerned;

**ORDERS** the Registrar to report on this matter to the Pre-Trial Judge; and

**ORDERS** the VPU to transmit to him any applications for participation as early as possible and as and when received and, if necessary, a translation thereof.

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

Leidschendam, 19 September 2019

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[signature]

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Daniel Fransen  
Pre-Trial Judge

