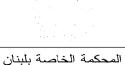
SPECIAL TRIBUNAL FOR LEBANON

R271484

STL-11-01/T/TC F1834/20150129/R271484-R271485/EN/dm



TRIBUNAL SPÉCIAL POUR LE LIBAN

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 January 2015
Original language:	English
Classification:	Public
THE PROSECUTOR	
v.	
SALIM JAMIL AYYASH	
MUSTAFA AMINE BADREDDINE	
HASSAN HABIB MERHI	
HUSSEIN HASSAN ONEISSI	
	ASSAD HASSAN SABRA

ORDER REQUESTING FURTHER CLARIFICATIONS IN RELATION TO THE TESTIMONY OF WITNESSES PRH187 AND PRH188

Office of the Prosecutor: Mr Norman Farrell, Mr Graeme Cameron & Mr Alexander Milne	Counsel for Mr Salim Jamil Ayyash: Mr Eugene O'Sullivan, Mr Emile Aoun & Mr Thomas Hannis
Victims' Legal Representatives: Mr Peter Haynes, Mr Mohammad F. Mattar & Ms Nada Abdelsater-Abusamra	Counsel for Mr Mustafa Amine Badreddine: Mr Antoine Korkmaz, Mr John Jones & Mr Iain Edwards
	Counsel for Mr Hassan Habib Merhi: Mr Mohamed Aouini, Ms Dorothée Le Fraper du Hellen & Mr Jad Khalil
	Counsel for Mr Hussein Hassan Oneissi: Mr Vincent Courcelle-Labrousse, M Yasser Hassan & Mr Philippe Larochelle
	Counsel for Mr Assad Hassan Sab Mr David Young, Mr Guénaël Mettru & Mr Geoffrey Roberts

1. On 17 December 2014, the Prosecution filed a motion requesting that expert witnesses PRH187 and PRH188 testify simultaneously.¹ Counsel for the Accused, Mr Salim Jamil Ayyash, Mr Mustafa Amine Badreddine and Mr Assad Hassan Sabra responded to the motion opposing it.² In its motion, the Prosecution did not refer to any international or national legislation, case-law or any other relevant material supporting its application. Counsel for Mr Badreddine and Mr Merhi have filed notices pursuant to Rule 161 of the Special Tribunal's Rules of Procedure and Evidence stating that they wish to cross-examine the two witnesses.³

2. To assist the Trial Chamber in reaching a reasoned decision on the motion, the Trial Chamber orders, by Monday 2 February 2015, at 17.00 hours, the Prosecution to file any supporting reference material, such as legislation, case-law, or any other source material relating to the practice of 'simultaneous testimony', in particular in criminal proceedings.

3. If necessary, the Trial Chamber will hear further oral submissions in its court session scheduled for Tuesday, 3 February 2015, including from counsel for Mr Badreddine and Mr Merhi on their points of contention with the two reports the subject of the Prosecution motion.

Leidschendam, The Netherlands 29 January 2015

David Ro

Judge David Re, Presiding

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Judge Janet Nosworthy

Judge Micheline Braidy

³ Badreddine Defence Response to "Updated Prosecution Notice of Expert Witnesses and their Statemer 4 March 2014, 4 April 2014, Annex, p. 12; Réponse de la défense de Merhi à la "Prosecution Motion R Upcoming Expert Witnesses", 10 June 2014, para. 16.



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¹ STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi, and Sabra*, F1794, Request to Call V PRH187 and PRH188 Simultaneously, 17 December 2014.

² F1805, Response by the Ayyash Defence to the Prosecution Request to Call Witnesses PRH187 an Simultaneously, 31 December 2014; F1804, Badreddine Defence Response to Prosecution's 'Request to Cill PRH187 and PRH188 Simultaneously', 31 December 2014; F1806, Sabra Response to Prosecution's 'Request Witnesses PRH187 and PRH188 Simultaneously', 31 December 2014.