

BEFORE 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: 14 August 2018

Filing Party: Legal Representative of Participating Victims

Original language: English

Classification: Public

PROSECUTOR

v.

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

**REQUEST OF THE LEGAL REPRESENTATIVE OF VICTIMS TO ALLOW
PARTICIPATING VICTIMS TO ATTEND PROCEEDINGS IN THE COURTROOM**

Office of the Prosecutor:

Mr Norman Farrell & Mr Nigel Povoas

Defence Office:

Ms Dorothée Le Fraper du Hellen

**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 & 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



I. Introduction

1. Pursuant to Article 17 of the Statute of the Special Tribunal for Lebanon (“the Statute”) as well as the Trial Chamber’s 18 November 2014 Oral Order,¹ the Legal Representative of Victims (“the LRV”) hereby requests the Trial Chamber to allow 17 victims participating in the proceedings (“VPPs”) to attend proceedings in the courtroom during the closing arguments in the *Ayyash et al.* case.

II. Procedural Background

2. On 18 November 2014, the Trial Chamber issued an Oral Order and held that the VPPs’ presence in the courtroom was exceptional and requests for attendance were to be considered on a case-by-case basis, depending on whether the proceedings were to be held in a public session, whether the testifying witness had any protective measures, and whether the victim had dual status pursuant to Rule 150(D) of the Special Tribunal’s Rules of Procedure and Evidence.²

III. Attendance of Public VPPs in the Courtroom at the STL

3. The instant application concerns the attendance of 17 public VPPs at the seat of the Tribunal in Leidschendam during the period of the closing arguments in the *Ayyash et al.* case, namely 3-14 September 2017. The VPPs concerned are the following:
 - (i) On 3-4 September 2018: V045, V049 and V056;
 - (ii) On 6-7 September 2018: V001, V010, V014 and V031;
 - (iii) On 10-11 September 2018: V008, V080, V081, V085, V086 and V087; and
 - (iv) On 13-14 September 2018: V018, V019, V043 and V057.
4. The LRV seeks leave to allow all the VPPs mentioned above to attend one or more public sessions during the presentation of the closing arguments.
5. The LRV is mindful that the attendance of VPPs in the courtroom is exceptional and must be requested on a case-by-case basis. The LRV is also keen on observing the requirements prescribed by the Trial Chamber, namely, that most of the hearings

¹ *Prosecutor v. Ayyash et al.*, Case No. STL-11-01/T/TC, Oral Order, Public Transcript of Hearing of 18 November 2014, pp. 1-3.

² *Ibid.*

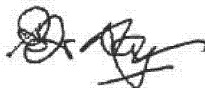
throughout the closing arguments are expected to be public. Specifically, VPPs will not be able to observe the proceedings during private or closed sessions.

6. The LRV reiterates that the brief presence of VPPs in the courtroom does not erode the principle of common legal representation. The three legal representatives will continue to express the views and concerns of the VPPs, in accordance with their mandate.
7. In respect of most, if not all, of the VPPs present in the courtroom, as it has been done in the past, the LRV expects to introduce them briefly for the benefit of the court and the public. This introduction will occupy minimal court time.

IV. Relief Sought

8. For the above reasons, the Legal Representative of Victims respectfully requests the Trial Chamber to allow the attendance of public VPPs for one or more public sessions in the STL courtroom in Leidschendam during the presentation of the closing arguments in the *Ayyash et al.* case.

Respectfully submitted on 14 August 2018,



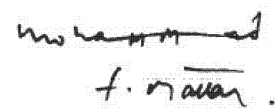
Peter Haynes

Lead Legal Representative of Victims



Nada Abdelsater-Abusamra

Co-Legal Representatives of Victims



Mohammad F. Mattar

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