

**BEFORE THE PRE-TRIAL JUDGE**  
**Special Tribunal for Lebanon**

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**THE PROSECUTOR**  
**v.**  
**SALIM JAMIL AYYASH**  
**MUSTAFA AMINE BADREDDINE**  
**HUSSEIN HASSAN ONEISSI**  
**ASSAD HASSAN SABRA**

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**SUBMISSION BY THE VICTIMS AND WITNESSES UNIT PURSUANT TO RULE  
50(D) OF THE RULES OF PROCEDURE AND EVIDENCE IN COMPLIANCE WITH  
THE PRE-TRIAL JUDGE'S INTERNAL MEMORANDUM OF 17 OCTOBER 2012**

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**The Prosecutor**  
**Mr. Norman Farrell**

**Victims' Legal Representatives**  
**Mr. Peter Haynes**  
**Mr. Mohammad F. Mattar**  
**Ms. Nada Abdelsater-Adusamra**

**Counsel for Mr. Salim Jamil Ayyash**  
**Mr. Eugene O'Sullivan**  
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**Counsel for Mr. Mustafa Amine Badreddine**  
**Mr. Antoine Korkmaz**  
**Mr. John Jones**  
**Counsel for Mr. Hussein Hassan Oneissi**  
**Mr. Vincent Courcelle-Labrousse**  
**Mr. Yasser Hassan**  
**Counsel for Mr. Assad Hassan Sabra**  
**Mr. David Young**  
**Mr. Guénaél Mettraux**



## I. INTRODUCTION

1. The Registry's Victims and Witnesses Unit ("VWU") files this submission pursuant to Rule 50 (D) of the Rules of Procedure and Evidence ("Rules") and further to the Pre-Trial Judge's Internal Memorandum on "*Demande de complément d'informations conformément à l'article 48, paragraphe C) du Règlement*"<sup>1</sup> whereby the VWU is invited to provide observations concerning the VWU's involvement in the process of risk assessment referred to by the Office of the Prosecutor ("OTP") in its Notice of 24 September 2012.<sup>2</sup>
2. [REDACTED]

## II. THE VWU'S SUBMISSION

3. The VWU respectfully refers to the Registry Submission filed confidentially and *ex-parte* on 6 February 2012.<sup>3</sup> In that Submission, the Registrar, in compliance with the Pre-Trial Judge's Provisional Order of 24 January 2012<sup>4</sup>, informed about the limited involvement of the VWU in its review of the OTP's risk assessments conducted in relation to those individuals for whom the OTP sought interim non-disclosure of identity.<sup>5</sup>
4. [REDACTED]
5. [REDACTED]

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<sup>1</sup> STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/PT/PTJ, Internal Memorandum on "*Demande de complément d'informations conformément à l'article 48, paragraphe C) du Règlement*", 17 Octobre 2012.

<sup>2</sup> STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/PT/PTJ, Prosecution Notice Pursuant to the Pre-Trial Judge's Decision of 2 August 2012 & Request for Interim Protective Measures, 24 September 2012. (Prosecution's Notice of 24 September 2012).

<sup>3</sup> STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/I/PTJ, "Registry Submission in Relation to Pre-Trial Judge's Provisional Order of 24 January 2012 (with Annex)", 6 February 2012. (Registrar's Submission).

<sup>4</sup> STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/I/PTJ, Provisional Order on the Prosecution's Application of 21 December 2011 filed Pursuant to Rules 115, 116 and 133 of the Rules of Procedure and Evidence, 24 January 2012 (Provisional Order).

<sup>5</sup> STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/I/PTJ, Prosecution's Application for Interim Non-Disclosure of the Identity of Witnesses Pursuant to Rules 115 and 116 and Witness Protective Measures Pursuant to Rule 133, 21 December 2011.

6. In sum, the involvement of the VWU in the evaluation of the OTP's risk assessments conducted to the witnesses referred to in the Prosecution's Notice of 24 September 2012 should not be interpreted as a complete and independent VWU risk assessment as envisaged in the Pre-Trial Judge's instructions announced during the Status Conference held on 26 July 2012.<sup>6</sup>
7. [REDACTED]
8. The VWU remains available to provide any further information that may be required.

Respectfully submitted,



Iwan Waltenburg  
Chief of the Victims and Witnesses Unit,  
Registry

Dated this 19<sup>th</sup> day of October 2012  
At Leidschendam,  
The Netherlands.

Word count: 590



<sup>6</sup>STL, *Prosecutor v. Ayyash et al.* Case No. STL-11-01/PTJ, Public Redacted Transcripts of Status Conference of 26 July 2012 at page 29.