

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: **6 October 2015**

Filing Party: **Prosecutor**

Original language: **English**

Classification: **Public**

THE PROSECUTOR
v.
SALIM JAMIL AYYASH,
MUSTAFA AMINE BADREDDINE,
HASSAN HABIB MERHI,
HUSSEIN HASSAN ONEISSI &
ASSAD HASSAN SABRA

Addendum to Prosecution Motion to Admit the Statements of PRH081, PRH071, PRH050, PRH086, PRH312 and PRH539, and to Admit 37 Documents related to the Insurance Policies of Salim Ayyash

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1. On 22 September 2015, the Prosecution filed its Motion seeking to admit six witness statements under Rule 155 and 37 documents under Rule 154, all related to the insurance policies of accused Salim Ayyash.¹ In one of the six statements, witness PRH050 identified two individuals in photographs shown to him. The two photographs are attached to his statement. This addendum clarifies two issues:
 - (i) the source of the two photographs that PRH050 was shown, and
 - (ii) the two related documents that the Prosecution seeks to tender under Rule 154.
2. On 29 July 2009, PRH050 was shown the two photographs.² The photographs had been previously obtained by PRH312, a Tribunal investigator. PRH312's investigator's notes contain the two photographs at ERN 60098038 and 60099062.³ The ERNs correspond to those listed in PRH050's statement and those stamped on the photographs attached to his statement.⁴
3. In the Motion, the Prosecution incorrectly stated the source of the two photographs shown to PRH05, instead referring to the source of two identical photographs.⁵ Those two identical photographs were received from the Lebanese Ministry of the Interior and were attached to applications for identity cards submitted to the Ministry by the

¹ STL, *Prosecutor v. Ayyash et al.*, Case No. STL-11-01/T/TC, F2212, Prosecution Motion to Admit the Statements of PRH081, PRH071, PRH050, PRH086, PRH312 and PRH539, and to Admit 37 Documents related to the Insurance Policies of Salim Ayyash, 22 September 2015 ("Motion"). *Also*, F2212, Corrected Version of Annex D – List of Rule 91 Additions to Prosecution Motion to Admit the Statements of PRH081, PRH071, PRH050, PRH086, PRH312 and PRH539, and to Admit 37 Documents related to the Insurance Policies of Salim Ayyash, filed 22 September 2015, 25 September 2015.

² Statement of PRH050, ERN 60302456, 60302459, 60302461 (paras. 55, 57; attached photographs). ERN 60302452 provides the date of the interview. *Also*, Motion, para. 14.

³ Investigator's notes dated 20 August 2008 (R91-801578) contain ERN 60098038 and the investigator's notes dated 1 October 2008 (R91-100308) contain ERN 60099062. For ease of reference, the Prosecution collected the two investigator's notes and placed them in a confidential disclosure folder in the Tribunal's Legal Workflow system. The Prosecution will release the folder to the Chamber, parties and participants after filing this addendum.

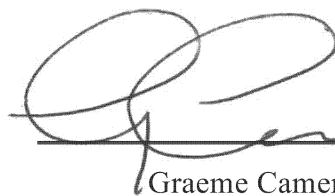
⁴ Statement of PRH050, ERN 60302456, 60302459, 60302461 (paras. 55, 57; attached photographs). PRH050's statement at paragraph 57 appears to contain a typographical error. The number in the paragraph should read 60098038 (the photograph), not 60099038. At ERN 60302459, the former ERN 60099062 is struck through. At ERN 60302461, the former ERN 60098038 is struck through.

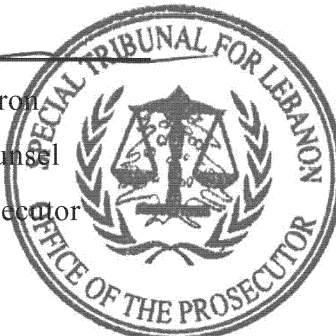
⁵ Motion, para. 36.

two individuals.⁶ PRH539, another Tribunal investigator, obtained the applications with the photographs in December 2011.⁷

4. Given that the two sets of photographs are identical, the Prosecution had inadvertently referred to an alternative source for the photographs shown to PRH050. Since PRH050 recognized the two individuals in the photographs, the source of the photographs does not alter his evidence.
5. Further, of the 37 documents tendered under Rule 154, two documents are the applications with the photographs that PRH539 obtained from the Ministry of the Interior.⁸ The Prosecution clarifies that it seeks to admit the entirety of both applications together with the photographs.

Respectfully submitted,


Graeme Cameron
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Office of the Prosecutor



Dated this 6th day of October 2015

Leidschendam, the Netherlands

Word Count: 557



⁶ Motion, para. 36.

⁷ Motion, para. 36 and fn. 70. *Also*, Annex C, rows 2-3, witness statement of PRH539, ERN 60312018-60312107.

⁸ Motion, Annex C, rows 2-3.