

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: **4 November 2016**

Filing Party: **Prosecutor**

Original language: **English**

Classification: **Public**

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

Notice of Withdrawal of Statement of PRH420

Office of the Prosecutor:

Mr. Norman Farrell & Mr. Alexander Hugh Milne

Legal Representatives of 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, Ms. Dorothee Le Fraper du Hellen & 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. Guénaél Mettraux & Mr. Geoffrey Roberts



1. The “Decision on ‘Prosecution Motion for the Admission of Locations Related Evidence’” of 9 July 2015, F2062, found the witness statement of PRH420 dated 1 October 2014 to be admissible pursuant to Rule 155(C), subject to cross-examination.¹ Having further reviewed the evidence, the Prosecution no longer seeks to rely on this statement or to seek its admission. As this was the only evidence the Prosecution sought to tender from PRH420, it will not be calling him to testify.
2. The witness statement of PRH420, a former employee of the Office of the Prosecutor, recorded a photo survey he undertook of the Furn el Chebbak and Mar Elias branches of the Samino Jewellery store associated with Sami Issa/Mustafa Badreddine and annexed photos of that survey to his statement.²
3. The photographs from PRH420’s photo survey were also annexed to the witness statement of Timothy Holford, which has been admitted as Exhibit P664,³ which records Mr. Holford’s GPS survey of the same locations. Additionally, PRH306 has marked the locations of these stores on maps admitted as Exhibits P730⁴ and P734.⁵

¹ F2062, *Prosecutor v. Ayyash et al.*, Case No. STL-11-01/T/TC, Decision on ‘Prosecution Motion for the Admission of Locations Related Evidence’, 9 July 2015, para. 30, p. 21. *See also* F1986, *Prosecutor v. Ayyash et al.*, Case No. STL-11-01/T/TC, Prosecution Motion for the Admission of Locations Related Evidence, 3 June 2015.

² ERN 60288875-60288885.

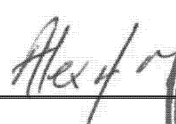
³ ERN 60314430-60314524.

⁴ ERN 60220419.

⁵ ERN 60220423.

4. In light of the evidence of Mr. Holford and PRH306 establishing the locations of these two stores, and particularly given that Mr. Holford's statement incorporates the photographs from PRH420's statement, the Prosecution considers PRH420's evidence unnecessarily cumulative. In the interests of streamlining the proceedings, the Prosecution therefore notifies the Trial Chamber that it no longer seeks the admission to PRH420's statement.

Respectfully submitted,


Alexander Hugh Milne
Senior Trial Counsel
Office of the Prosecutor



Dated this 4th day of November 2016

Leidschendam, the Netherlands

Word Count: 299

