

**BEFORE THE TRIAL CHAMBER**

Case No.: STL-11-01/I/TC

Before: Judge Robert Roth, Presiding
Judge Micheline Braidy
Judge David Re
Judge Janet Nosworthy, Alternate Judge
Judge Walid Akoum, Alternate Judge

Registrar: Mr. Herman von Hebel

Date: 9 December 2011

Original language: English

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THE PROSECUTOR

v.

**SALIM JAMIL AYYASH
MUSTAFA AMINE BADREDDINE
HUSSEIN HASSAN ONEISSI &
ASSAD HASSAN SABRA**

**DECISION RELATING TO THE PROSECUTION REPORT
REGARDING RULE 106 PROCEEDINGS**

Office of the Prosecutor:
Mr. Daniel A. Bellemare, MSM, Q.C.

Head of the Defence Office:
Mr. François Roux





1. On 8 December 2011, pursuant to the Trial Chamber's decision of 23 November 2011,¹ the Prosecution filed a progress report updating the Chamber on the status of ten requests for assistance that it sent to the Prosecutor-General of Lebanon on 11 November 2011, in relation to measures it considered necessary to locate and arrest the four Accused, Salim Jamil Ayyash, Mustafa Amine Badreddine, Hussein Hassan Oneissi and Assad Hassan Sabra.²
2. The Prosecution reports that the Lebanese Prosecutor-General responded by providing, on 6 December 2011, four hundred and twenty-five pages of material in Arabic, accompanied by a large quantity of emails on a CD-ROM. The Prosecution is reviewing and analysing the material and seeks leave to file a further progress report by 16 December 2011. The Prosecution advises that "where warranted" it will be sending "follow up" requests to the Lebanese Prosecutor-General.
3. The Prosecution reports that the translation of the responses into English has commenced. The Trial Chamber, however, considers that it would be assisted by receiving the (original) Arabic responses when the Prosecution files its further progress report on 16 December 2011.
4. The Prosecution also submits that its filed progress report and annex should remain confidential. The Trial Chamber agrees that these documents, which provide information on the ongoing investigation, should remain confidential pending further order.

FOR THESE REASONS the Trial Chamber:

GRANTS the Prosecution request for leave to file a further progress report by 12h00, Friday 16 December 2011;

REQUESTS the Prosecution to provide the Trial Chamber with the Prosecutor-General of Lebanon's responses to the Prosecution's requests for assistance (in their Arabic original) by 12h00, Friday 16 December 2011; and

¹ *Prosecutor v Ayyash et al.*, STL-11-01/I/TC, Interim Decision Under Rule 106 (Proceedings in Absentia), 23 November 2011.

² *Prosecutor v Ayyash et al.*, STL-11-01/I/TC, Prosecution Report Regarding Rule 106 Proceedings, 8 December 2011.



SPECIAL TRIBUNAL FOR LEBANON

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ORDERS the "Prosecution Report Regarding Rule 106 Proceedings", filed 8 December 2011, to remain confidential pending further order, but allowing the Prosecutor to be heard at the appropriate time on the issue of lifting confidentiality.

Done in English, Arabic and French, the English version being authoritative.

9 December 2011,
Leidschendam,
The Netherlands

Judge Robert Roth, Presiding

Judge Micheline Braidy

Judge David Re

