

SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصبة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE APPEALS CHAMBER

Case No.: STL-11-01/PT/AC/AR126.1

Before: Judge David Baragwanath, Presiding

Judge Ralph Riachy Judge Afif Chamseddine

Judge Daniel David Ntanda Nsereko, Judge Rapporteur

Judge Kjell Erik Björnberg

Registrar: Mr Herman von Hebel

Date: 6 November 2012

Original language: English

Classification: Public

THE PROSECUTOR

V.

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

CORRIGENDUM TO DECISION ON DEFENCE APPEALS AGAINST TRIAL CHAMBER'S DECISION ON RECONSIDERATION OF THE TRIAL IN ABSENTIA DECISION

Prosecutor: Counsel for Mr Salim Jamil Ayyash:

Mr Norman Farrell Mr Eugene O'Sullivan

Mr Emile Aoun

Legal Representatives of Victims: Counse

s: Counsel for Mr Mustafa Amine Badreddine:

Mr Peter Haynes • Mr Antoine Korkmaz

Mr Mohammad F. Mattar Mr John Jones
Ms Nada Abdelsater-Abusamra

Counsel for Mr Hussein Hassan Oneissi:

Head of Defence Office: Mr Vincent Courcelle-Labrousse

Mr François Roux Mr Yasser Hassan

Counsel for Mr Assad Hassan Sabra:

Mr David Young Mr Guénaël Mettraux





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R000230

We have noted a clerical error in paragraph 30 of our "Decision on Defence Appeals Against Trial Chamber's Decision on Reconsideration of the Trial In Absentia Decision" of 1 November 2012, which requires correction.

FOR THIS REASON;

THE APPEALS CHAMBER;

ORDERS that paragraph 30 shall read as follows:

Moreover, the required knowledge is not limited to the charges in the indictment. Rather, it must also relate to the consequences resulting from the accused's failure to appear.

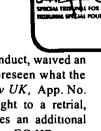
Done in Arabic, English and French, the English version being authoritative.

Dated 6 November 2012,

Leidschendam, the Netherlands

Jan Jan

Judge David Baragwanath **Presiding**



¹ Sejdovic v. Italy, para. 87 (holding that "before an accused can be said to have implicitly, through his conduct, waived an important right under Article 6 of the Convention, it must be shown that he could reasonably have foreseen what the consequences of his conduct would be"); Demebukov v. Bulgaria, para. 48; see also ECtHR, Jones v UK, App. No. 30900/02, Decision on Admissibility, 9 September 2003. It should be noted that the guaranteed right to a retrial, notwithstanding whether the accused knew about the proceedings available at this Tribunal, provides an additional safeguard of the rights of the accused to that existing in some of the domestic jurisdictions to which the ECtHR cases relate.