



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

**THE PRE-TRIAL JUDGE**

Case No.: **STL-11-01/PT/PTJ**

The Pre-Trial Judge: **Mr Daniel Fransen**

The Registrar: **Mr Herman von Hebel**

Date: **3 December 2012**

Original language: **French**

Classification: **Public**

**THE PROSECUTOR**

v.

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

**ORDER TO MAKE PUBLIC THE DISPOSITION OF THE DECISION REGARDING  
 THE PROSECUTION'S APPLICATION RELATING TO THE TEMPORARY  
 SUSPENSION OF THE DISCLOSURE OF CERTAIN  
 INFORMATION AND DOCUMENTS**

**Office of the Prosecutor:**  
 Mr Norman Farrell

**Counsel for Mr Salim Jamil Ayyash:**  
 Mr Eugene O'Sullivan

**Legal Representative of Victims:**  
 Mr Peter Haynes

**Counsel for Mr Mustafa Amine Badreddine:**  
 Mr Antoine Korkmaz

**Counsel for Mr Hussein Hassan Oneissi:**  
 Mr Vincent Courcelle-Labrousse

**Counsel for Mr Assad Hassan Sabra:**  
 Mr David Young



1. By way of this order, the Pre-Trial Judge informs the participants in the proceedings of the fact that on 30 November 2012 he rendered a confidential and *ex parte* decision<sup>1</sup> relating to the Prosecution confidential and *ex parte* application of 14 November 2012 for leave not to file, pursuant to Rule 91 (G) of the Rules, certain documents (“the Application”).<sup>2</sup>

2. Indeed, insofar as the participants in the proceedings were advised of the existence of the Application,<sup>3</sup> it is appropriate that they be informed of the actions that have been taken in response thereto.

3. In view of the situation described by the Prosecution and recalling that the Tribunal also has a specific mandate to ensure the protection of victims and witnesses in accordance with Article 16 (2) of the Statute, the Pre-Trial Judge, by virtue of his general power to issue orders necessary for the purposes of the investigation or for the preparation of the trial, as provided for by Rule 77 of the Rules, considered the request for temporary suspension of the Prosecution’s disclosure obligations to be well-founded, in order to allow it to undertake certain steps.

**FOR THESE REASONS,**

Pursuant to Rule 77 (A) of the Rules,

**THE PRE-TRIAL JUDGE,**

**STATES** that, by way of the confidential and *ex parte* decision of 30 November 2012, he granted the Application; and

**STATES** that he ordered the Prosecution, at the latest on 10 December 2012, either to seize the Victims and Witnesses Unit for consultation and to inform the Pre-Trial Judge thereof, or to disclose the information and documents in accordance with its obligations pursuant to Rule 91 of the Rules.

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<sup>1</sup> STL, *The Prosecutor v. Ayyash et al.*, Case No. STL-11-01/PT/PTJ, Decision regarding the Prosecution’s Application relating to the Temporary Suspension of the Disclosure of Certain Information and Documents, confidential and *ex parte*, 30 November 2012.

<sup>2</sup> STL, *The Prosecutor v. Ayyash et al.*, Case No. STL-11-01/PT/PTJ, Prosecution Application to Withhold Witnesses and Exhibits from the Rule 91 Filing and for an Order for Non-Disclosure of Certain Statements of Witnesses and Exhibits Related to Witness Protection, pursuant to Rules 116 and 117, confidential and *ex parte*, 14 November 2012.

<sup>3</sup> STL, *The Prosecutor v. Ayyash et al.*, Case No. STL-11-01/PT/PTJ, Prosecution Notice regarding the Working Plan and Request to Extend Certain Deadlines, confidential, 14 November 2012, para. 55; Transcript, p. 10 (27 November 2012).

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

Leidschendam, 3 December 2012

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[signature]

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Daniel Fransen  
Pre-Trial Judge

