



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 Daryl Mundis**

Date: **19 September 2013**

Original language: **French**

Classification: **Public**

THE PROSECUTOR

v.

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

ORDER LIFTING THE CONFIDENTIALITY OF A DECISION AND A REQUEST

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. **NOTING** the decision of the Pre-Trial Judge of 18 June 2013 on issues related to the inspection room and call data records, classified as confidential (the “Decision of 18 June 2013”);¹
2. **NOTING** the Prosecution confidential submissions of 25 June 2013 relating to the Decision of 18 June 2013 (the “Submissions of 25 June 2013”);²
3. **NOTING** the Request from Defence Counsel for Mr Hussein Hassan Oneissi of 25 June 2013 seeking reconsideration and certification of the Decision of 18 June 2013 (the “Request”);³
4. **NOTING** the Prosecution confidential response of 3 July 2013 relating to the Request (the “Response”);⁴
5. **NOTING** the decision of the Pre-Trial Judge of 9 August 2013 relating to the Request, classified as confidential (the “Decision of 9 August 2013”);⁵
6. **NOTING** the decision of the Pre-Trial Judge of 10 September 2013 relating to the Prosecution Submissions pursuant to the Decision of 18 June 2013, classified as confidential (the “Decision of 10 September 2013”);⁶
7. **NOTING** the Prosecution confidential submissions of 17 September 2013 relating to the redactions pursuant to the Decision of 10 September 2013 (the “Submissions of 17 September 2013”);⁷
8. **CONSIDERING** that, in the Submissions of 17 September 2013, the Prosecution:
 - 1) seeks leave from the Pre-Trial Judge to file redacted versions of the Submissions of 25 June

¹ STL, *The Prosecutor v. Ayyash et al.*, Case no. STL-11-01/PT/PTJ, Decision on Issues Related to the Inspection Room and Call Data Records, confidential, 18 June 2013. All further references to filings and decisions relate to this case unless otherwise stated.

² Prosecution Submissions pursuant to the Pre-Trial Judge’s 18 June 2013 Decision on Issues related to the Inspection Room and Call Data Records, confidential, 25 June 2013.

³ The Defence for Hussein Hassan Oneissi Request for Reconsideration and Certification of “the Decision on Issues Related to the Inspection Room and Call Data Records Dated 18 June 2013”, confidential, 25 June 2013.

⁴ Prosecution Response to Oneissi Defence Request for Reconsideration and Certification of the “Decision on Issues Related to the Inspection Room and Call Data Records”, confidential, 3 July 2013.

⁵ Decision on the Defence for Hussein Hassan Oneissi’s Request for Reconsideration and Certification of “The Decision on Issues Related to the Inspection Room and Call Data Records” dated 18 June 2013, confidential, 9 August 2013.

⁶ Decision on the Prosecution Submissions Pursuant to the 18 June 2013 Decision on Issues Related to the Inspection Room and Call Data Records, confidential, 10 September 2013.

⁷ Prosecution Submissions on Redactions pursuant to the Pre-Trial Judge’s 10 September 2013 Decision on Issues related to the Inspection Room and Call Data Records, confidential, 17 September 2013.

2013 and of the Response pursuant to the suggested redactions contained in Annexes A and B of the Submissions of 17 September 2013; and 2) states that the Submissions of 17 September 2013 can be reclassified as “public” following the Pre-Trial Judge’s filing of a public redacted version of the Decision of 10 September 2013, as appropriate;

9. **CONSIDERING** that, after consultation with the Parties, there is no obstacle to the lifting of the confidentiality of either the Request or the Decision of 9 August 2013, nor to the filing of public redacted versions of the Decision of 18 June 2013 and of the Decision of 10 September 2013;

10. **CONSIDERING** that the Prosecution should also file public redacted versions of its Submissions of 25 June 2013 and of the Response and should reclassify its Submissions of 17 September 2013 as “public” after the public redacted version of the Decision of 10 September 2013 has been filed;

FOR THESE REASONS,

Pursuant to Rule 77 of the Rules of Procedure and Evidence,

THE PRE-TRIAL JUDGE,

ORDERS the lifting of the confidentiality of the Request;

ORDERS the lifting of the confidentiality of the Decision of 9 August 2013;

STATES that public redacted versions of the Decision of 18 June 2013 and of the Decision of 10 September 2013 shall be filed this day;

AUTHORISES the Prosecution to file public redacted versions of the Submissions of 25 June 2013 and of the Response in accordance with the suggested redactions contained in Annexes A and B of the Submissions of 17 September 2013; and

AUTHORISES the Prosecution to reclassify the Submissions of 17 September 2013 as “public” after the public redacted version of the Decision of 10 September 2013 has been filed.

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

Leidschendam, 19 September 2013

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[signature]

Daniel Fransen
Pre-Trial Judge

