

**THE CONTEMPT JUDGE**

Case No.: STL-14-06/I/CJ
Before: Judge Nicola Lettieri, Contempt Judge
Registrar: Mr Daryl Mundis, Registrar
Date: 24 April 2014
Original language: English
Classification: Public

IN THE CASE AGAINST

AKHBAR BEIRUT S.A.L.
IBRAHIM MOHAMED AL AMIN

ORDER LIFTING CONFIDENTIALITY

***Amicus Curiae* Prosecutor:**
Mr Kenneth Scott

Head of Defence Office:
Mr François Roux

The Accused:
Akhbar Beirut S.A.L.
Ibrahim Mohamed Al Amin



I, Judge Nicola Lettieri, Judge of the Special Tribunal for Lebanon (“Tribunal”),

NOTING that on 31 January 2014, Judge David Baragwanath, as the Contempt Judge, issued the “Redacted Version of Decision in Proceedings for Contempt with Orders In Lieu of an Indictment”, which included an order in lieu of an indictment against *Akhbar Beirut* S.A.L. and Ibrahim Al Amin (“Order in Lieu of Indictment”) and another against *New TV* S.A.L. and Karma Mohamed Tahsin Al Khayat;¹

RECALLING that, pursuant to Rule 74 of the Tribunal’s Rules of Procedure and Evidence (“Rules”), Judge Baragwanath, while acknowledging that an order in lieu of an indictment must normally be filed publicly, ordered that the Contempt Decision and both Orders in Lieu of an Indictment be treated as confidential and *ex parte*, until further notice;²

NOTING that Judge Baragwanath, as President of the Tribunal, designated me as the Contempt Judge in these proceedings;

CONSIDERING that on 18 March 2014, I issued separate Summons to Appear to *Akhbar Beirut* S.A.L. and Ibrahim Al Amin and ordered the Registrar of the Tribunal to transmit to the competent authorities of the Lebanese Republic, for service on each accused without delay, (1) a certified copy of their respective Summons to Appear, bearing the official seal of the Tribunal, (2) a certified copy of the Order in Lieu of Indictment, bearing the official seal of the Tribunal, (3) a copy of the Contempt Decision and (4) a copy of the provisions of the Statute, Rules and any other documents relevant to the execution of the Summons;³

CONSIDERING that, in both the *Akhbar* Summons and the Al Amin Summons, I further ordered that “neither this Summons nor the Order in Lieu of Indictment nor any other related documents shall be disclosed or otherwise made known and that they shall remain confidential and *ex parte* until further order, except to the competent authorities of the Lebanese Republic and

¹ STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/I/CJ, F0001, Redacted Version of Decision in Proceedings for Contempt with Orders in Lieu of an Indictment, Confidential and *Ex Parte*, 31 January 2014 (“Contempt Decision”). All further references to filings and decisions in this Order relate to this case number unless otherwise stated.

² *Id.* at para. 76.

³ F0006, Summons to Appear, Confidential and *Ex Parte*, 18 March 2014 (“*Akhbar* Summons”), p. 2; F0007, Summons to Appear, Confidential and *Ex Parte*, 18 March 2014 (“Al Amin Summons”), p. 2.

to the authorities of any State to which this Summons and the Order in Lieu of Indictment (or certified copies thereof) may be delivered, as well as to the Accused”;⁴

RECALLING the principle of publicity emphasized by the Appeals Chamber in affirming that confidential decisions can only be justified for exceptional reasons and for a limited time;⁵

CONSIDERING that personal service pursuant to Rule 76 (B) has been effected with respect to *Akhbar Beirut* S.A.L. and Ibrahim Al Amin, as well as *New TV* S.A.L. and Karma Mohamed Tahsin Al Khayat; and

FINDING that, given such service, there is no longer reason to maintain the confidential and *ex parte* classification of the Contempt Decision, Order in Lieu of Indictment, *Akhbar* Summons or Al Amin Summons.

DISPOSITION

FOR THESE REASONS,

PURSUANT to Rules 73 and 96

I

ORDER the lifting of the confidentiality and *ex parte* classification of the following documents:

- Redacted Version of Decision in Proceedings for Contempt with Orders in Lieu of an Indictment, 31 January 2014 (F0001 including Annexes A01 and A02)
- Summons to Appear, 18 March 2014 (F0006)
- Summons to Appear, 18 March 2014 (F0007).

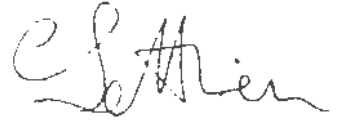
⁴ *Akhbar* Summons, p. 2; Al Amin Summons, Disposition p. 2.

⁵ See STL, *In the Matter of El Sayed*, CH/AC/2013/01, F0005, Public Redacted Version of Decision on Appeal by the Prosecutor Against Pre-Trial Judge’s Decision on 11 January 2013, Dated 28 March 2013, 28 March 2013, para. 9.

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

Dated 24 April 2014

Leidschendam, the Netherlands



Judge Nicola Lettieri

Contempt Judge

