

SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE CONTEMPT JUDGE

Case No.: STL-14-06/PT/CJ
Before: Judge Nicola Lettieri, Contempt Judge
Registrar: Mr Daryl Mundis, Registrar
Date: 13 November 2015
Original language: English
Classification: Public

IN THE CASE AGAINST

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

**DECISION ON DEFENCE REQUEST FOR EXPEDITIOUS IMPLEMENTATION OF
THE DECISION OF 24 SEPTEMBER 2015**

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

**Assigned Counsel for *Akhbar Beirut*
S.A.L. and Mr Ibrahim Mohamed Ali Al
Amin:**
Mr Antonios Abou Kasm



1. I am seized of a motion by the Defence, requesting that I order the process of disclosing the outstanding confidential documents in the *Al Jadeed* case¹ be completed within a maximum framework of five days from my decision (“Request”).² The *Amicus* opposes the Request.³
2. The procedural history in this case can be summarized as follows:
3. On 20 March 2015, I granted a number of temporary and permanent protective measures with respect to certain prosecution witnesses (“20 March 2015 Decision”).⁴
4. On 24 September 2015, in my capacity as Contempt Judge in the *Al Jadeed* case, I ordered the Registry to provide the Defence in the present case access to all confidential *inter partes* transcripts of hearings, exhibits and filings in the *Al Jadeed* case, subject to limitations imposed by the protective measures to shared witnesses in both cases I ordered in my 20 March 2015 Decision.⁵
5. On 4 November 2015, I rendered my Decision on Urgent Request for Review of the Decision on the *Amicus Curiae* Prosecutor’s Application for Protective Measures of 20 March 2015, lifting the temporary protective measures I ordered in the 20 March 2015 Decision.⁶ As a consequence, all the confidential material in the *Al Jadeed* case can now be disclosed to the Defence in this case.
6. On 12 November 2015, the Registry submitted its “Notice of Final Compliance”, stating that “The Registry has now completed disclosure of all Confidential *inter partes* filings, transcripts, and exhibits from the *Al Jadeed* case pursuant to the Decision of 24 September.”⁷

¹ STL-14-05 *In the case against Al Jadeed [CO.] S.A.L./NEW T.V. S.A.L (N.T.V) Karma Mohamed Tahsin Al Khayat* (“*Al Jadeed* case”).

² STL-14-06/PT/CJ, F0115, Urgent Defence Request for Expedious Implementation of the Decision of 24 September 2014, 6 November 2015. All further references to filings and decisions refer to this case number unless otherwise stated.

³ F0116, Response to Defence “Urgent Defence Request for Expedious Implementation of the Decision of 24 September 2014”, 9 November 2015.

⁴ F0088, Decision on the *Amicus Curiae* Prosecutor’s Applications for Protective Measures, Confidential and *ex parte*, 20 March 2015. A public redacted version was filed the same day.

⁵ F0104, Decision on Request for Authorization to Inspect Confidential Documents in the *Al Jadeed* case, 24 September 2015.

⁶ F0114, Decision on Urgent Request for Review of the Decision on the *Amicus Curiae* Prosecutor’s Application for Protective Measures of 20 March 2015, 4 November 2015, p. 6.

⁷ TL-14-05/ES/CJ, F0195, Notice of Final Compliance, Confidential, 12 November 2015, para 4.

7. Finally, in light of the Registry's filing of the "Notice of Compliance", I find that the Request is moot and there is no need for me to address this matter any further.

DISPOSITION

FOR THESE REASONS;

PURSUANT to Rules 60 *bis* (H) and 77 of the Rules of Procedure and Evidence;

I

DECLARE the Request moot.

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

Dated 13 November 2015

Leidschendam, the Netherlands



Judge Nicola Lettieri

Contempt Judge

