

SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE TRIAL CHAMBER

Case No: STL-11-01/T/TC

Before: Judge David Re, Presiding
Judge Janet Nosworthy
Judge Micheline Braidy
Judge Walid Akoum, Alternate Judge
Judge Nicola Lettieri, Alternate Judge

Registrar: Mr Daryl Mundis

Date: 6 April 2016

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

**PUBLIC REDACTED VERSION OF
“ORDER REQUESTING THE COOPERATION OF THE GOVERNMENT OF THE
LEBANESE REPUBLIC TO CEASE DISSEMINATION AND ORDER TO AKHBAR
BEIRUT S.A.L. AND IBRAHIM AL AMIN TO IMMEDIATELY REMOVE
MATERIAL AND CEASE DISSEMINATION” DATED 27 JANUARY 2016**

Office of the Prosecutor:

Mr Norman Farrell, Mr Graeme Cameron
& Mr Alexander Hugh Milne

Legal Representatives of**Participating Victims:**

Mr Peter Haynes, Mr Mohammad F. Mattar
& Ms Nada Abdelsater-Abusamra

Government of the Lebanese Republic**STL-14-06:*****Amicus Curiae* Prosecutor:**

Mr Kenneth Scott

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

Mr Antonios Abou Kasm

Counsel for Mr Salim Jamil Ayyash:

Mr Eugene O’Sullivan, Mr Emile Aoun &
Mr Thomas Hannis

Counsel for Mr Mustafa Amine**Badreddine:**

Mr Antoine Korkmaz, Mr Iain Edwards &
Ms Mylène Dimitri

Counsel for Mr Hassan Habib Merhi:

Mr Mohamed Aouini, Ms Dorothee Le
Fraper
du Hellen & Mr Jad Youssef Khalil

Counsel for Mr Hussein Hassan Oneissi:

Mr Vincent Courcelle-Labrousse, Mr
Yasser Hassan & Ms Natalie Von
Wistinghausen

Counsel for Mr Assad Hassan Sabra:

Mr David Young, Mr Guénaél Mettraux &
Mr Geoffrey Roberts



SPECIAL TRIBUNAL FOR LEBANON**ORDER REQUESTING THE COOPERATION OF THE GOVERNMENT OF THE
LEBANESE REPUBLIC TO CEASE DISSEMINATION****AND****ORDER TO AKHBAR BEIRUT S.A.L. AND IBRAHIM AL AMIN TO
IMMEDIATELY REMOVE MATERIAL AND CEASE DISSEMINATION**

The Trial Chamber has received information from the Special Tribunal's Registrar, and has satisfied itself, that non-compliance with the Pre-Trial Judge's order of 5 June 2013, 'Order Requesting the Cooperation of the Lebanese Authorities to Cease Dissemination of Information', continues.¹

FOR THESE REASONS,

PURSUANT to Rules 77 (A), 130 (B), and 133 (A) of the Rules of Procedure and Evidence of the Special Tribunal for Lebanon and to Article 15 (2) of the Agreement between the United Nations and the Lebanese Republic on the establishment of a Special Tribunal for Lebanon,²

THE TRIAL CHAMBER**ORDERS**

Akhbar Beirut S.A.L., its principals, employees, agents and affiliates, and **Ibrahim Al Amin**, its Editor-in-chief:

- (i) to comply with the Pre-Trial Judge's order of 5 June 2013 and to immediately remove from the website of *Al Akhbar* and from any other platforms which are accessible to the public any information which is the subject of that order, in particular:

- (a) an article dated 15 January 2013 published on *Al Akhbar*'s website:

¹ STL-11-01/PT/PTJ, *Prosecutor v. Ayyash, Badreddine, Oneissi and Sabra*, F0940, Order Requesting the Cooperation of the Lebanese Authorities to Cease Dissemination of Information, 5 June 2013; STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F2381, Registry Submission Pursuant to Rule 48 (C) Requesting an Immediate Binding Order to Akhbar Beirut S.A.L and Mr Ibrahim Al Amin to Remove Confidential Material from Its Public Platforms (confidential and *ex parte*), 16 December 2015.

² Annexed to S/RES/1757 (2007), 30 May 2007. *See also* Memorandum of Understanding between the Government of the Republic of Lebanon and the Office of the Prosecutor of the Special Tribunal for Lebanon Regarding the Modalities of Cooperation Between them, 5 June 2009.

[REDACTED];

(b) an article dated 19 January 2013, published on *Al Akhbar*'s website:

[REDACTED]; and

(c) an article dated 10 April 2013, published on *Al Akhbar*'s website:

[REDACTED]; and

- (ii) to cease and to refrain from disseminating or publishing any confidential or purported confidential information or material allegedly related to witnesses before the Special Tribunal unless it has become public either during open session proceedings of the Special Tribunal, or by its order;

REQUESTS the Government of the Lebanese Republic:

- (i) to direct the Prosecutor-General of Lebanon, or the appropriate authority, to:
- (a) serve this order on **Ibrahim Al Amin** and the responsible officials of **Akhbar Beirut S.A.L.** and, and to obtain written evidence confirming their receipt of it; and
- (b) to take all necessary measures to execute this order and to stop and prevent the dissemination of information that breaches the Pre-Trial Judge's order of 5 June 2013; and
- (ii) to provide the Special Tribunal's Registrar with:
- (a) proof of service of this order on **Ibrahim Al Amin** and the responsible officials of **Akhbar Beirut S.A.L.**; and
- (b) proof that the relevant identifying information has been removed from the website in compliance with this order, including screenshots, and

REITERATES that those responsible for the disclosure of information in breach of the Special Tribunal's orders may be found responsible for violating Rule 60 *bis* of its Rules of Procedure and Evidence governing contempt and obstruction of justice.³

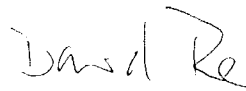
³ Rule 60 *bis* (A) of the Special Tribunal's Rules provides (relevantly): 'The Tribunal, in the exercise of its inherent power, may hold in contempt those who knowingly and wilfully interfere with its administration of justice, upon assertion of the Tribunal's jurisdiction according to the Statute. This includes, but is not limited to, the power to hold in contempt any person who: [...] (iii) discloses information relating to proceedings in knowing violation of an order of a Judge or Chamber [...]'.

The Pre-Trial Judge’s order, ‘Order Requesting the Cooperation of the Lebanese Authorities to Cease Dissemination of Information’ of 5 June 2013, is annexed to and forms part of this order.

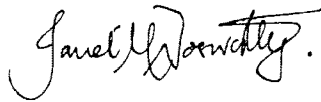
Done in Arabic, English, and French, the English version being authoritative.

Leidschendam,
The Netherlands

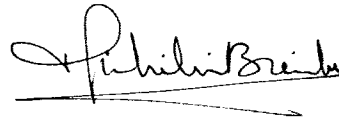
6 April 2016



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

