



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:** 22 July 2016

**Original language:** English

**Classification:** Public

**THE PROSECUTOR**

v.

**SALIM JAMIL AYYASH  
HASSAN HABIB MERHI  
HUSSEIN HASSAN ONEISSI  
ASSAD HASSAN SABRA**

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**DECISION RESCINDING THE PROTECTIVE MEASURE GRANTED TO  
CONFIDENTIAL PARTICIPATING VICTIM V043**

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**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

**Counsel for Mr Salim Jamil Ayyash:**

Mr Emile Aoun, Mr Thomas Hannis &  
Mr Chad Mair

**Counsel for Mr Hassan Habib Merhi:**

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



1. Ms Hana Diab El-Arab, confidential participating Victim V043, now wishes to be a public participating victim. The Legal Representative of Victims filed a request<sup>1</sup> to the Trial Chamber on her behalf to rescind the protective measure previously granted to Ms El-Arab.<sup>2</sup> Ms El-Arab provided her written consent in a confidential annex to the request. Neither the Prosecution, nor Defence counsel objected to the request.<sup>3</sup> The Legal Representative of Victims consented to the reclassification of the annex to the request from confidential to public.<sup>4</sup>

2. Having reviewed the motion in light of Rule 133 (A) of the Special Tribunal's Rules of Procedure and Evidence,<sup>5</sup> the Trial Chamber grants the request of the Legal Representative of Victims.

### DISPOSITION

**FOR THESE REASONS**, the Trial Chamber:

**RESCINDS** the protective measure granted to Ms Hana Diab El-Arab by the Pre-Trial Judge;

**INSTRUCTS** the Registry to reclassify the annex to the request of the Legal Representative of Victims from confidential to public.

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

Leidschendam,  
The Netherlands  
22 July 2016

*David Re*

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Judge David Re, Presiding

*Janet Nosworthy*

\_\_\_\_\_  
Judge Janet Nosworthy

*Micheline Braidy*

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Judge Micheline Braidy

<sup>1</sup> STL-11-01/T/TC, *Prosecutor v. Ayyash, Merhi, Oneissi and Sabra*, F2660, Request of Legal Representative of Victims to Rescind Protective Measures Granted to One Participating Victim, 20 July 2016.

<sup>2</sup> The Pre-Trial Judge granted protective measure (confidentiality of identity) to Ms El-Arab in STL-11-01/PT/PTJ, F1062, Decision on the Fourth Motion of the Legal Representative of Victims for Protective Measures for 22 Victims Participating in the Proceedings, 15 August 2013, Confidential.

<sup>3</sup> Provisional confidential transcript, 20 July 2016, p. 95.

<sup>4</sup> Provisional confidential transcript, 20 July 2016, p. 96.

<sup>5</sup> Rule 133 (A) allows a chamber to order appropriate "measures for the protection of victims and witnesses".

