

THE TRIAL CHAMBER
SPECIAL TRIBUNAL FOR LEBANON

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: 17 March 2017

Original language: English

Classification: Public

The PROSECUTOR
v.
SALIM JAMIL AYYASH
HASSAN HABIB MERHI
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA

DECISION VARYING PROTECTIVE MEASURES FOR TWO PARTICIPATING VICTIMS

Office of the Prosecutor:
Mr Norman Farrell & Mr Alexander 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 & 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 Geoffrey Roberts



1. The Legal Representatives of Victims, under Rule 133 of the Special Tribunal's Rules of Procedure and Evidence, request to vary the terms of protective measures granted to two participating victims, V012 and V013, to: (i) formally recognise the disclosure of their identities as participating victims to each other and their wives accompanying them to the Netherlands, and (ii) permit their simultaneous access to the Special Tribunal's 'private victims' gallery' to observe the trial proceedings.¹

2. The Prosecution and Defence counsel for the four Accused did not respond to the request.² The Trial Chamber is satisfied that the variation requested is appropriate. The two victims have voluntarily and independently chosen to share the information with each other that they are participating in the procedure. They are travelling together with their wives to the Netherlands to observe two days of trial hearings. The variation is also proportionate and does not affect the rights of the Accused.

FOR THESE REASONS, the Trial Chamber:

GRANTS the request of the Legal Representatives of Victims.

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

Leidschendam,
The Netherlands
17 March 2017

David Re

Judge David Re, Presiding

Janet Nosworthy

Judge Janet Nosworthy

Micheline Braidy

Judge Micheline Braidy

¹ STL-11-01/T/TC, *Prosecutor v. Ayyash, Mehri, Oneissi and Sabra*, F3036, Request of the Legal Representative of Victims for a Variation of the Terms of Protective Measures Granted to Two Participating Victims, 15 March 2017 (confidential).

² Emails on 15 March 2017 from Prosecution counsel and counsel for Mr Assad Hassan Sabra, and on 16 March 2017 from counsel for Mr Salim Jamil Ayyash, Hassan Habib Merhi and Hussein Hassan Oneissi to the Trial Chamber's legal officer.

