

SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE CONTEMPT JUDGE

Case No.: STL-14-06/ES/CJ
Before: Judge Nicola Lettieri, Contempt Judge
Registrar: Mr Daryl Mundis, Registrar
Date: 20 March 2017
Original language: English
Classification: Confidential and *Ex Parte*

IN THE CASE AGAINST

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

**ORDER TO LEBANESE AUTHORITIES ON REQUEST FOR INFORMATION
CONCERNING THE ENFORCEMENT OF SENTENCE**

The Government of the Lebanese Republic



1. The present order provides a follow-up to the “Registry Submission Pursuant to Rule 48(C) Providing Correspondence Received from the Government of the Republic of Lebanon”,¹ of which I am in receipt as Contempt Judge.
2. Indeed, on 15 July 2016, I issued the Judgment in this case,² in which I convicted Mr Ibrahim Mohamed Ali Al Amin and *Akhbar Beirut* S.A.L. of one count of interference with the administration of justice for the publication of two articles in print and online purporting to identify a total of 32 alleged confidential Tribunal witnesses. On 29 August 2016, a sentencing hearing was held and I imposed a fine of 20,000 Euros on Mr Al Amin and a fine of 6,000 Euros on *Akhbar Beirut* S.A.L., to be paid by 30 September 2016.³ I issued the Sentencing Judgment on 5 September 2016.⁴
3. On 11 October 2016 I issued the Order on Payment of Fine Pursuant to Rule 135⁵ which required Mr Al Amin and *Akhbar Beirut* S.A.L. to provide written submissions with respect to their failure to pay their fines within the stipulated timelines. I ordered the Registry to provide an Arabic and English-language copy of the Fine Order to the Lebanese authorities for service on both Accused in accordance with Lebanese law. I also invited the Parties and the Registry to provide their submissions on the consequences of the Accused’s failure to pay the fines no later than 28 October 2016.⁶ Neither Mr Al Amin nor *Akhbar Beirut* S.A.L. provided submissions.⁷
4. On 6 December 2016, I issued the Order on Seizure of Assets requesting that the Lebanese authorities provide their full cooperation in the enforcement of the Sentencing

¹ STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/ES/CJ, F0275, Registry Submission Pursuant to Rule 48(C) Providing Correspondence Received from the Government of the Republic of Lebanon, Confidential, 13 March 2017 (“Registry Submission”). All further references to filings and decisions refer to this case number unless otherwise stated. A corrigendum and a corrected version were filed on 16 March 2017. See F0275, Corrigendum to “Registry Submission Pursuant to Rule 48(C) Providing Correspondence Received from the Government of the Republic of Lebanon”, Confidential, 16 March 2017; F0275, Corrected Version of the “Annex to Registry Submission Pursuant to Rule 48(C) Providing Correspondence Received from the Government of the Republic of Lebanon” Dated 13 March 2017, Confidential, 16 March 2017.

² STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/T/CJ, F0262, Public Redacted Version of the Judgment, 15 July 2016 (“Judgment”).

³ STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/S/CJ, Sentencing Proceedings, 29 August 2016, p. 34.

⁴ STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/S/CJ, F0265, Reasons for Sentencing Judgment, 5 September 2016 (“Sentencing Judgment”).

⁵ F0269, Order on Payment of Fine Pursuant to Rule 135, 11 October 2016; Corrigendum to “Order on Payment of Fine Pursuant to Rule 135”, 12 October 2016; Corrected Version of “Order on Payment of Fine Pursuant to Rule 135”, 12 October 2016 (“Fine Order”).

⁶ *Id.* at p. 3.

⁷ F0274, Order on Seizure of Assets, Confidential, 6 December 2016 (“Order on Seizure of Assets”), para. 14.

Judgment. I requested that all necessary steps be taken, in accordance with Lebanese law, to collect the equivalent funds of 20,000 Euros from Mr Ibrahim Ali Al Amin and 6,000 Euros from *Akhbar Beirut* S.A.L. through the freezing, seizure or confiscation of assets belonging to each Accused or any other legal measure available in Lebanese law, and to forward any and all amounts collected to the Tribunal's Registry.⁸ I also requested that the competent authorities of the Lebanese Republic provide me with a report on their efforts towards carrying out the Order on Seizure of Assets within sixty days of its receipt.⁹

5. The Order on Seizure of Assets, along with its associated materials, was translated and served on the Government of the Lebanese Republic on 13 December 2016.¹⁰ The deadline for the receipt of submissions from the Lebanese authorities was therefore 11 February 2017. On 28 February 2017, the Tribunal's Registry received correspondence from the Ministry of Justice of the Lebanese Republic dated 27 February 2017 indicating, *inter alia*, that the execution of the Order on Seizure of Assets had been referred to the Minister of Finance of the Lebanese Republic.¹¹ As no further submissions have been received from the Lebanese authorities on this matter, I conclude that the Ministry of Finance is taking steps to execute the Order on Seizure of Assets but has not yet collected any funds towards payment of the Fine Order.

6. In order to be fully briefed on actions carried out thus far and to determine which further steps may be necessary in order to ensure the timely execution of the Order on Seizure of Assets and, ultimately, the enforcement of the sentence imposed in this matter, I request the relevant Lebanese authorities to provide their responses in writing to the three sets of questions contained in the Disposition of the present Order, by no later than 10 April 2017.

7. This Order has been classified as Confidential and *Ex Parte* to protect the integrity of any efforts made towards enforcement of the sentence imposed in this matter.

⁸ Order on Seizure of Assets, para. 21 and Disposition, p. 9.

⁹ Order on Seizure of Assets, Disposition, p. 9.

¹⁰ Registry Submission, para. 2.

¹¹ Registry Submission, para. 4; *see also* F0275, Corrected Version of the "Annex to Registry Submission Pursuant to Rule 48(C) Providing Correspondence Received from the Government of the Republic of Lebanon" Dated 13 March 2017, Confidential, 16 March 2017, pp. 10-11.

DISPOSITION

FOR THESE REASONS;

IN APPLICATION of Article 18 (2) of the Statute, Article 15 (2) of the Agreement between the United Nations and Lebanon and Rules 60 *bis* (H), 77 (A) and 135 (C),

I

REQUEST the Minister of Justice and the Minister of Finance of the Lebanese Republic to submit their responses, in writing, to the following three questions, before the above-mentioned date of 10 April 2017:

(1) What steps have your Ministries taken to date to collect funds from Mr Ibrahim Mohamed Ali Al Amin and *Akhbar Beirut S.A.L.*, in accordance with the Order on Seizure of Assets?

(2) What information have you ascertained with respect to the financial status and assets owned by Mr Ibrahim Mohamed Ali Al Amin and *Akhbar Beirut S.A.L.*? Please provide a full account of all pertinent information.

(3) Are your Ministries pursuing a particular enforcement protocol? If so, please detail the applicable Lebanese law and policies.

ORDER the Registrar of the Tribunal to transmit to the competent authorities of the Lebanese Republic, (1) copies of the present Order in English and Arabic; and (2) certified copies in the English and Arabic languages, bearing the official seal of the Tribunal, of the Order to Seize Assets (F0274), Fine Order (F0269) and Sentencing Judgment (F0265).

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

Dated 20 March 2017

Leidschendam, the Netherlands



Judge Nicola Lettieri
Contempt Judge

