



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

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: 15 September 2017

Original language: English

Classification: Public

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

**ORDER TO PROSECUTION IN RELATION TO THE ONEISSI DEFENCE MOTION
TO COMPEL DISCLOSURE OF REQUESTS FOR ASSISTANCE**

Office of the Prosecutor:
Mr Norman Farrell & 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 Geoffrey Roberts
Sarah Bafadhel



1. Counsel for the Accused, Mr Hussein Hassan Oneissi, asked the Trial Chamber to order the Prosecution disclose, under 110 (B) and 130 (A) of the Special Tribunal's Rules of Procedure and Evidence, any requests for assistance sent to the Lebanese Prosecutor-General containing the telephone number 3598095 and or Mr Oneissi's name that are relevant to the attribution of this number to Mr Oneissi.¹ Counsel for Mr Oneissi filed supplementary submissions and the Prosecution replied.² The Oneissi Defence thereafter replied to the Prosecution reply.³

2. In its reply, the Oneissi Defence made submissions in respect of the requests for assistance in respect of which no response was received or the response was that there was no information matching the criteria.⁴ As a consequence, the Prosecution is ordered to search its holdings and provide to the Trial Chamber, by **Wednesday 20 September 2017**, any requests that are objectively non-generic and that were phrased in a manner that could have excluded the possibility of someone other than Mr Oneissi using the number 3598095.

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

Leidschendam,
The Netherlands
15 September 2017

David Re

Judge David Re, Presiding

Janet Nosworthy

Judge Janet Nosworthy

Micheline Braidy

Judge Micheline Braidy

¹ F3261, Oneissi Defence Urgent Motion for an Order to Compel Disclosure of RFAs Relevant to the Attribution of 3598095, 2 August 2017, para. 1.

² F3311, Supplementary Submissions to "Oneissi Defence Urgent Motion for an Order to Compel Disclosure of RFAs Relevant to the Attribution of 3598095", 6 September 2017; F3322, Prosecution Response to the 'Supplementary Submissions to Oneissi Defence Urgent Motion for an Order to Compel Disclosure of RFAs Relevant to the Attribution of 3598095', 13 September 2016.

³ F3325, Oneissi Defence Reply to Prosecution Response to Supplementary Submissions of 6 September 2017, 14 September 2017 ('Oneissi Defence reply').

⁴ Oneissi Defence reply, para. 3.

