



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: 29 November 2017

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

ORDER RECLASSIFYING AYYASH DEFENCE FILING**Office of the Prosecutor:**

Mr Norman Farrell & Mr Alexander Hugh Milne

Counsel for Mr Salim Jamil Ayyash:

Mr Emile Aoun, Mr Thomas Hannis & Mr Chad Mair

Legal Representatives of Participating Victims:

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

Counsel for Mr Hassan Habib Merhi:

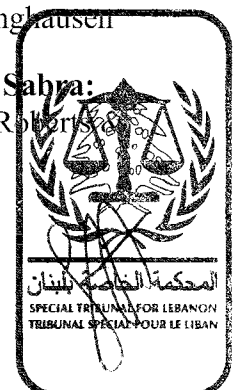
Mr Mohamed Aouini, Ms Dorothée Le Fraper du Hellen & Mr Jad Youssef Khalil

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 Geoffrey Roberts & Ms Sarah Bafadhel



1. On 21 November 2017, the Trial Chamber ordered the Parties, the Head of Defence Office and the Registrar to file public redacted versions of specific confidential filings, or to have these filings reclassified as public.¹ On 24 November 2017, counsel for the Accused, Mr Salim Jamil Ayyash, filed a notice ‘pursuant to Article 7(5)(a)’ of the Practice Direction on Filing of Documents before the Special Tribunal for Lebanon, notifying the reclassification of its reply from ‘confidential’ to ‘public’.² Article 7 (5) (a) of the Practice Direction concerns the reclassification of a filing *from ‘public’ to ‘confidential’* via a notice filed by the relevant Party, and is therefore not applicable. Instead, the reclassification of the Ayyash Defence’s reply *from ‘confidential’ to ‘public’* can only be implemented further to a Trial Chamber order, according to Article 7 (5) (e) of the Practice Direction. In the interests of judicial economy, the Trial Chamber has considered the Ayyash Defence’s notice as a request for a Trial Chamber order to this effect.

2. The Trial Chamber therefore **instructs** the Registry to reclassify from ‘confidential’ to ‘public’ the ‘Ayyash Defence Reply to Prosecution Response to Ayyash Motion for Access to Confidential Materials in the Case STL-14-05’, dated 2 October 2015, filing number F2243.

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

Leidschendam,
The Netherlands
29 November 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, Merhi, Oneissi and Sabra*, F3421, Orders Following the Ayyash Defence’s Withdrawal of Its Application to Access Confidential Material in the *Case against Al Jadeed [Co.] S.A.L./New T.V. S.A.L. (N.T.V.) and Karma Mohamed Tahsin Al Khayat*, 21 November 2017, para. 4.

² F3426, Notice of Change of Classification of a Filing, 24 November 2017; STL/PD/2010/01/Rev. 1, Practice Direction on Filing of Documents before the Special Tribunal for Lebanon, 14 June 2013; STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*, F2243, Ayyash Defence Reply to Prosecution Response to Ayyash Motion for Access to Confidential Materials in the Case STL-14-05, 2 October 2015.

