



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: 11 January 2018

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

**ORDER TO THE PROSECUTION TO PROVIDE *EX PARTE* TO THE
TRIAL CHAMBER A UNIJIC REPORT ON
MR WISSAM AL-HASSAN (WITNESS PRH680)**

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. The Trial Chamber, on 20 October 2017, decided to admit into evidence the audio recordings and transcripts of the Prosecution interview of Mr Wissam Al-Hassan (Witness PRH680).¹ On 7 December 2017, counsel for the Accused, Mr Assad Hassan Sabra, filed an application under Rules 110 (B) and 113 (A) of the Special Tribunal's Rules of Procedure and Evidence,² requesting the disclosure of a report of the United Nations International Independent Investigation Commission (UNIIC) relating to Mr Al-Hassan. The request was preceded by an exchange of correspondence between the Prosecution and counsel for Mr Sabra. The Prosecution responded, opposing the request.³

2. The Trial Chamber finds that it is necessary, in the interests of justice and expeditiousness of the proceedings, to examine the report for itself and, therefore, **orders** the Prosecution to provide it to the Trial Chamber, on an *ex parte* basis, by Friday, 12 January 2018.

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

Leidschendam,
The Netherlands
11 January 2018

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*, F3371, Decision Admitting into Evidence the Audio Recordings and Transcripts of the Prosecution Interview of Mr Wissam Al-Hassan (Witness PRH680) under Rule 158 and Three Related Documents under Rule 154, 20 October 2017, disposition; exhibits P2121, P2122.

² Rule 110 governs the Prosecution's general disclosure obligations towards the Defence. Rule 113 provides for the Prosecution's obligation to disclose exculpatory material to the Defence.

³ F3500, Prosecution Response to Sabra Defence "Request for Disclosure of Document", dated 7 December 2017, 21 December 2017; F3461, Request for Disclosure of Document, 7 December 2017 (public with confidential annexes); F3461, Annexes A-D (confidential) to the Request for Disclosure of Document, 7 December 2017.