



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: 4 April 2019

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

PUBLIC REDACTED VERSION OF
“ORDER REGARDING ONEISSI DEFENCE REQUEST RELATED TO
WITNESS [REDACTED]” OF 30 JANUARY 2017

Office of the Prosecutor:

Mr Norman Farrell & Mr Nigel Povoas

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 & 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
& Ms Sarah Bafadhel

1. On 15 October 2015, on the request of the Prosecution, the Trial Chamber ordered protective measures for Witness [REDACTED].¹ The Trial Chamber heard Witness [REDACTED]'s evidence, in closed session, on [REDACTED] 2016. On 20 January 2017, in an *ex parte* and confidential filing, counsel for the Accused, Mr Hussein Hassan Oneissi, requested the Trial Chamber to clarify the protective measures.² In supplementary submissions, filed at the Trial Chamber's request, counsel explained that they intend to interview a number of individuals in relation to Witness [REDACTED]'s evidence. Counsel state that it will be impossible to interview these persons without revealing the Witness's name and the content of his evidence, but that they will not disclose that this witness has testified before the Special Tribunal.³

2. The Trial Chamber regards this request for clarification as a request to vary the protective measures for Witness [REDACTED] and, before deciding on whether to vary the protective measures in the manner requested, seeks the views of the Prosecution and Parties on this matter. As the Oneissi Defence asked the Trial Chamber to decide its request expeditiously, the Prosecution and Parties are requested to file submissions by **Thursday, 2 February 2017 at 15:00**.

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

Leidschendam,
The Netherlands
4 April 2019

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*, F2199, Prosecution Motion for Protective Measures for Witness [REDACTED], 16 September 2015 (confidential with confidential and *ex parte* annex A); F2269, Decision on Prosecution Motion for Protective Measures for Witness [REDACTED], 15 October 2015 (confidential).

² F2949, Requête urgente en clarification de la décision de la Chambre de première instance relative aux mesures de protection de [REDACTED], 20 January 2017 (confidential and *ex parte*).

³ F2959, Supplementary Submissions to the "Oneissi Defence Urgent Request for Clarification of the Trial Chamber's Decision on the Protective Measures for [REDACTED]" dated 20 January 2017, 27 January 2017 (confidential and *ex parte*).

