



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE TRIAL CHAMBER

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: 31 July 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 ON ACCESS TO PRIVATE
OR CLOSED SESSION PROCEEDINGS’
OF 22 JANUARY 2016

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. The Registry filed a submission on 12 January 2016 informing the Trial Chamber of the unlawful publication of confidential information [REDACTED].¹

2. In addition, in a recent meeting involving the Registry, the Defence Office and the Office of the Prosecutor, the issue of access to the transcript and potential selective live-streaming within the Special Tribunal of private or closed session proceedings was discussed.²

3. The Trial Chamber understands that, presently, the only way in which someone can follow private or closed session proceedings is if they are either present in the courtroom or if they have been granted authorization, by their Chief of Section or appropriate supervisor, to access the transcription system, LegalCraft Transcend.

4. The Trial Chamber considers that the broadcast of private or closed session proceedings, whether by transcript or video, is an extension of any protective measures order it has made for proceedings to be held *in camera* under Rule 133 of the Special Tribunal's Rules of Procedure and Evidence.

5. In view of the submissions made by the Registrar in his submission of 12 January 2016 and the associated security concerns, as well as the recent discussion about potentially broadcasting by live video stream private or closed session proceedings to selected persons within the Special Tribunal, the Trial Chamber instructs the Registrar to inform it of the following by Wednesday 27 January 2016:

- (i) who has access to the real time transcript of private or closed session proceedings;
- (ii) who receives the provisional confidential transcript of private or closed session proceedings;
- (iii) who receives the official transcript of private or closed session proceedings;
- (iv) how access to the real time transcript of private or closed session proceedings is monitored; and

¹ STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi, Sabra*, F2401, Registry submission pursuant to Rule 48(C) regarding the unlawful publication of information relating to [REDACTED], 12 January 2016.

² Meeting attended by the Senior Legal Officer to the Trial Chamber on 14 January 2016.

- (v) the potential security implications of continuing access to real time transcription of private or closed session proceedings outside the courtroom.

6. When it receives this information, the Trial Chamber may decide to seek relevant submissions from the Parties, Participants and the Defence Office.

7. This order will remain confidential and *ex parte* until further order.

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

Leidschendam,
The Netherlands
31 July 2019

David Re

Judge David Re, Presiding

Janet Nosworthy

Judge Janet Nosworthy

Micheline Braidy

Judge Micheline Braidy

