



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 Akoun, 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 REQUESTING SUBMISSIONS ON ACCESS TO PRIVATE
OR CLOSED SESSION PROCEEDINGS FROM OUTSIDE THE COURTROOM'
OF 29 JANUARY 2016**

Office of the Prosecutor:

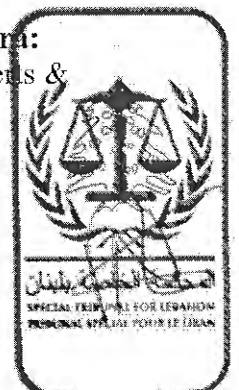
Mr Norman Farrell & Mr Nigel Povoas

Defence Office:

Ms Dorothée Le Fraper du Hellen

Victims' Legal Representatives: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 & Mr Philippe Larochele**Counsel for Mr Assad Hassan Sabra:**Mr David Young, Mr Geoffrey Roberts &
Ms Sarah Bafadhel

1. 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.
2. The Trial Chamber has sought and received submissions from the Registrar on the issue of who has access to private or closed session proceedings, from outside the courtroom, via (i) iTranscend;¹ (ii) the confidential daily provisional transcripts; and, (iii) the official confidential transcripts in *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi and Sabra*.²
3. Information relevant to protective measures orders—such as that identifying or potentially identifying protected witnesses—is frequently revealed in iTranscend, the confidential daily transcript and private and closed session testimony. According to the Registrar, [REDACTED] users have access to iTranscend, [REDACTED] users to the confidential daily provisional transcripts and [REDACTED] users to the official confidential transcripts. There is overlap between the three user groups and the exact number varies on a daily basis according to operational needs within each section or organ.³
4. The Trial Chamber is concerned about the number of people who have access to this information.
5. In view of the potential security implications associated with this, the Trial Chamber requests submissions on this continued practice from the Parties, Participants, the Head of the Defence Office, and the Registrar, in particular the Victims and Witnesses Unit, by Friday 5 February 2016.
6. This order is filed confidentially in view of the sensitive subject matter as it is related to access to confidential material and how that is used and protected within the Special Tribunal.

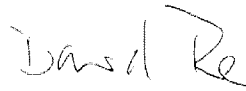
¹ iTranscend is the real time transcription system used by the Special Tribunal.

² STL-11-01/T/TC, *Prosecutor v. Ayyash, Badreddine, Merhi, Oneissi, Sabra*, F2415, Order on Access to Private or Closed Session Proceedings, Confidential and *Ex Parte*, 22 January 2016. F2420, Registry Submission Pursuant to the Trial Chamber's Order on Access to Private or Closed Session Proceedings, Confidential and *Ex Parte*, 27 January 2016.

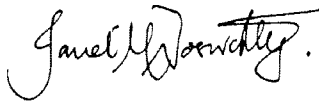
³ Registry Submission, paras 4 and 5 and Confidential and *Ex Parte* Annexes A, B and C.

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

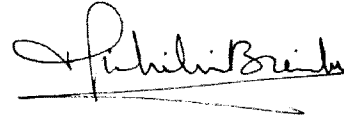
Leidschendam,
The Netherlands
31 July 2019



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

