

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: 6 April 2017

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

**ORDER APPROVING CONFIDENTIALITY UNDERTAKING SUBMITTED
BY DEFENCE FOR HUSSEIN HASSAN ONEISSI**

Office of the Prosecutor:

Mr Norman Farrell & Mr Alexander Milne

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, Ms Dorothee Le Fraper
du Hellen & 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



1. As ordered by the Trial Chamber in its decision of 27 February 2017 varying protective measures for a witness, counsel for the Accused Mr Hussein Hassan Oneissi submitted a confidentiality undertaking for the Trial Chamber's approval.¹ The undertaking was prepared in consultation with the Victims and Witnesses Unit. The Prosecution responded, proposing a minor addition to the text of the undertaking.²

2. Having carefully reviewed the proposed text of confidentiality undertaking and the addition proposed by the Prosecution, the Trial Chamber is satisfied that the proposed undertaking complies with the findings it made in its decision of 27 February 2017, namely that the undertaking needs to be carefully worded to minimise the unauthorised dissemination of the relevant information, while enabling the Oneissi Defence to efficiently conduct its investigations.

3. The Oneissi Defence submitted the cover filing, and the annex containing the undertaking confidentially to preserve the confidentiality and integrity of its investigations. The Prosecution also filed its response confidentially. The Trial Chamber will maintain the confidentiality of the Oneissi Defence submissions and the Prosecution response until it decides otherwise.

For these reasons, the Trial Chamber approves the written undertaking proposed by counsel for Mr Hussein Hassan Oneissi, with the addition to the text proposed by the Prosecution, namely 'save with the leave of the Chamber'³ at the end of the first sentence in the second paragraph.

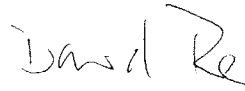
¹ STL-11-01/T/TC, *Prosecutor v. Ayyash, Merhi, Oneissi, and Sabra*, F3014, Decision Varying Protective Measures for a Witness, 27 February 2017 (confidential), paras 6-7 and disposition; F3062, Oneissi Defence Submission of Confidentiality Undertaking, 31 March 2017 (confidential).

² F3064, Prosecution Response to Oneissi Defence Submission of Confidentiality Undertaking, 4 April 2017 (confidential).

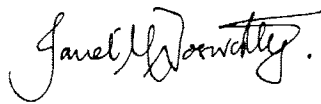
³ The Prosecution proposed 'save with the leave of the court'. However, 'Chamber' is the more appropriate term.

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

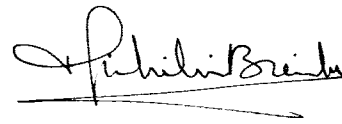
Leidschendam,
The Netherlands
6 April 2017



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

