SPECIAL TRIBUNAL FOR LEBANON

TENTH ANNUAL REPORT (2018-2019)
Dear Prime Minister,

Dear Secretary-General,

It is a privilege to submit to you the Special Tribunal for Lebanon’s tenth annual report, pursuant to Article 10 (2) of the Tribunal’s Statute. This Report covers the Tribunal’s activities and progress during the period between 1 March 2018 and 28 February 2019, and our aspirations for the next phases of the Tribunal’s work.

On behalf of the Tribunal’s personnel, Judges and Principals, I wish to express my sincere gratitude to the international community, and especially Lebanon, for the constant support, both financial and diplomatic, without which we would not be able to fulfil our mandate. We affirm our commitment, in line with the expectations of the Lebanese public and the international community, to providing an independent and impartial mechanism for investigating and adjudicating the crimes within our jurisdiction, and working towards uncovering the truth.

Many achievements were made during the past reporting period, most notably, the conclusion of the public hearings in the case Prosecutor v. Ayyash, Merhi, Oneissi and Sabra concerning the 14 February 2005 assassination of the former Lebanese Prime Minister, Mr Rafik Hariri, marked by the presentation of closing arguments by all the Parties involved in the case and the Legal Representative of the Victims. Followed closely by news media outlets in Lebanon, the Middle East and internationally, as well as the diplomatic community in The Hague, Beirut and New York, the closing arguments affirmed the important and incomparable role the Tribunal plays in ensuring the perpetrators of the 14 February 2005 attack are not shielded by impunity.

Our continued commitment towards optimizing the Tribunal’s operations and the good administration of justice was once again made possible thanks to the dedicated Lebanese and international personnel that compose the Tribunal, and who work tirelessly from our offices in Beirut and in Leidschendam in pursuit of our mandate. In 2018, the Tribunal also focused on breaking down gender barriers, with the Tribunal’s Principals joining the International Gender Champions network. The progress described in this report is thanks to the efforts of the committed women and men from numerous countries who work at the Tribunal.

This year’s Report marks the Tribunal’s tenth anniversary, an occasion which gives us pause to reflect on our progress since our inception and the work that remains ahead of us. It is irrefutable that, in the past decade, the Tribunal has navigated a number of “firsts” in contemporary international criminal justice, not least of all including the interpretation and application of Lebanese criminal law and procedure in an international setting, conducting trials in absentia under the Tribunal’s hybrid Statute and Rules of Procedure and Evidence, and creating a substantial body of case law unique to the Tribunal’s highly specialized jurisdiction. After 10 years of existence, the Tribunal has achieved some remarkable milestones and learned valuable lessons to pave the way for the future of hybridized international criminal justice.

It is also true, however, that key objectives remain ahead of us. The most prominent of these are the trial judgment and any appeal in the Ayyash et al. case, and progress in cases connected to the 14 February 2005 attack. Our work towards these objectives will reflect our continuous commitment towards the protection of the rights of the accused, the pursuit of justice for victims and the highest standards of international justice.

Ivana Hrdličková
President
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This report outlines the activities carried out by the Special Tribunal for Lebanon between 1 March 2018 and 28 February 2019. These activities have revolved around the principal mandate of the Tribunal, which is to try those accused of crimes falling under its specialized jurisdiction.

During the reporting period, trial hearings were concluded in the main case before the Tribunal, *Prosecutor v. Ayyash, Merhi, Oneissi and Sabra*, which concerns the 14 February 2005 attack in Beirut that killed former Lebanese Prime Minister, Mr Rafik Hariri, and 21 other persons, and injured another 226. Following the Trial Chamber’s dismissal of an Oneissi Defence application for acquittal at the conclusion of the Prosecution case, and the presentation of the Oneissi Defence case in May and June, September 2018 bore witness to closing arguments presented to the Trial Chamber Judges by the Parties and Legal Representatives for Victims (“LRVs”) before the Trial Chamber retired to deliberate and draft its final trial judgment.

The precise timing of the judgment will depend upon the complexity of the legal and factual issues subject to the Trial Chamber’s confidential deliberations.

Further, in August 2018, the contempt case against Mr Ibrahim Mohamed Al Amin was completed following the payment in full of a fine imposed against Mr Al Amin in the judgment issued against newspaper Akhbar Beirut S.A.L. and Mr Al Amin, as its Editor-in-Chief.

Progress over the reporting period has been made possible thanks to the major contributions of Chambers and the Tribunal’s other three Organs: the Office of the Prosecutor, the Defence Office and the Registry. As well as highlighting the key developments in the cases within the Tribunal’s jurisdiction, this report provides insight into the Tribunal’s behind-the-scenes functioning, in furtherance of our commitments to transparent justice processes and accountability to Lebanon, supporting States and the wider international community.

To this end, this report highlights:

- first and foremost, the achievements in the *Ayyash et al.* case, the principal proceedings before the Tribunal, as well as other work conducted in Chambers and the Office of the President in furtherance of our mission and the good administration of justice;

- the accomplishments of the Office of the Prosecutor towards the achievement of the Tribunal’s mandate, including in the *Ayyash et al.* trial and its other investigatory work;

- the important work of the Tribunal’s independent Defence Office to ensure effective representation of the interests and rights of the Accused, the only organ of its kind in any international court or tribunal;

- the various sections working under the umbrella of the Registry, whose work is indispensable to the success of our mission, and without which the Tribunal could not function.
PART II – MAIN ACTIVITIES OF THE TRIBUNAL

A. Chambers and Office of the President

1. Introduction

The public judicial activities of the Chambers have mainly revolved around the trial proceedings in the Ayyash et al. case, concerning the 14 February 2005 attack against the former Lebanese Prime Minister, Mr Rafik Hariri. Notably, the reporting period marked the presentation of the Defence case by the Oneissi Defence, the Trial Chamber ordering the attendance of one witness, under Rule 165 of the Rules of Procedure and Evidence of the Tribunal (“Rules”), and the conclusion of trial hearings, with closing arguments being heard by the Trial Chamber between 11 and 21 September 2018.

2. Judicial activities

   (a) STL-11-01 – Prosecutor v. Ayyash, Merhi, Oneissi and Sabra

   (i) Overview

   The trial of Messrs Salim Jamil Ayyash, Hassan Habib Merhi, Hussein Hassan Oneissi and Assad Hassan Sabra continued and the Parties concluded the presentation of evidence when, on 21 September 2018, the Presiding Judge of the Trial Chamber declared the hearing closed. In 2018, the Trial Chamber sat for 29 days, bringing the total number of sitting days to 415 since the trial opened on 16 January 2014, producing 93,933 pages of transcripts in the Tribunal’s three official languages.1

   Throughout 2018, the Trial Chamber issued 78 written decisions and orders, amounting to 638 pages, and delivered 17 decisions and orders in court. This takes the total number of written decisions and orders issued since the beginning of the trial to 668, constituting 5,156 pages, in addition to 290 decisions and orders delivered orally in court.

   Between 1 January 2018 and the end of the trial, the Trial Chamber received evidence from 16 witnesses, including live testimony from six witnesses, one of whom testified via video-conference link from the Beirut Office.2 It also admitted into evidence written statements from further ten witnesses. Between the opening of the trial in 2014 and its conclusion in September 2018, the Trial Chamber received evidence from 323 witnesses, including the live testimony of 129 witnesses and the written statements of another 194.3

   In 2018, the Trial Chamber admitted 149 exhibits into evidence, totalling 11,709 pages (including material in Arabic, English and French). During the trial, the Trial Chamber admitted 3,132 exhibits into evidence, totalling 145,039 pages.

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2 One witness’ statement was also received under Rule 155 of the Rules.
3 Twenty witnesses gave evidence in both oral and written form.
Following a simulated hearing conducted by the Trial Chamber and separate testing undertaken by the Court Management Services Section, on 21 March 2018, the Trial Chamber issued a written decision allowing the introduction, for the first time, of the French real-time transcription in the Ayyash et al. case.

During the reporting period and before the conclusion of the hearings the Presiding Judge of the Trial Chamber, Judge Re, at times assisted by the other Trial Chamber Judges, presided over regular case management meetings with the Parties and LRVs.

In October and November, the Trial Chamber issued two decisions concerning procedural matters: one varying a reclassification order of 2015 and another granting an application by the LRVs seeking to withdraw one participating victim from the proceedings.

At the conclusion of the reporting period, the Trial Chamber was reviewing the evidence before it and deliberating as to whether the Prosecution had proven its case against the four Accused beyond reasonable doubt.

(ii) Application for acquittal under Rule 167

The commencement of the reporting period followed the close of the Prosecution’s case on 7 February 2018, after which the Oneissi Defence sought a judgment of acquittal, under Rule 167 of the Rules, on all counts pleaded against Mr Oneissi in the indictment. In a decision delivered in court on 7 March, the Trial Chamber dismissed the Oneissi Defence application.

In a decision of 14 May, the Trial Chamber dismissed the Oneissi Defence application for certification to appeal the Trial Chamber’s decision declining to enter this judgment of acquittal, and an accompanying application to stay the proceedings. In relation to the application for acquittal, the Trial Chamber addressed two issues raised by the Oneissi Defence.

First, it considered whether Trial Chamber had erred in considering that “the Appeals Chamber’s interpretation, that an accomplice must have known that the perpetrator intended to commit a particular crime to prove their knowledge, is reasonable”, but that it could, if necessary, “revisit the issue and receive fuller submissions from the parties in their final trial briefs and submissions”. The Trial Chamber reasoned that it followed the Appeals Chamber’s 2011 decision on the application of Article 219 of the Lebanese Criminal Code and in essence, did not disagree with the Oneissi Defence’s submission on the ambit of this Article. It held, however, that the mere possibility of hearing further legal submissions on the application of the law could not significantly affect the fair and expeditious conduct of the proceedings or the outcome of the trial.

Second, it considered the question of whether the Trial Chamber erred in concluding that the conditions required under Rule 167 of the Rules, to obtain an acquittal, had not been met without specifically ruling on the evidence presented by the Parties or responding to the arguments put forward by the Defence, regarding the lack of evidence presented by the Prosecution in support of the elements of the crimes of which Mr Oneissi is accused. It reasoned that a remittal from the Appeals Chamber to the Trial Chamber ordering greater reasoning of the same decision would neither change the decision nor expedite the trial. It also held that providing more reasoning to the decision could not itself affect the outcome of the trial; to the contrary, it would only delay the proceedings. The Trial Chamber considered, in the alternative, that there could be no immediate resolution from the Appeals Chamber in the alternative, as while the Appeals Chamber could—hypothetically—enter a judgment of acquittal for itself after having carefully reviewed the entirety of the evidence, it would take many months if not more than a year to complete.
The application to stay the proceedings was also dismissed in the same decision, as the Trial Chamber considered that the conditions of this remedy had not been satisfied and Mr Oneissi’s role could not be separated from that of the other three Accused, and thus severing the case would significantly delay the proceedings. Judge Re appended a short separate opinion relating to that the effect of a non-appealable “first instance” judgment of acquittal by an Appeals Chamber.

(iii) Pre-Defence and Defence phases

On 7 March 2018, the Oneissi Defence informed the Trial Chamber that it had elected to call a case and present evidence, and filed witness and exhibit lists under Rule 128 of the Rules.

The following day, the Trial Chamber held a Pre-Defence Conference, under Rule 129 of the Rules, during which issues concerning the Defence case and the filing of final trial briefs were discussed. The Trial Chamber, in an oral decision, dismissed four Sabra Defence motions seeking to tender evidentiary material, finding that the material most properly belonged in a Defence case, should the Sabra Defence elect to present one. On 9 March, however, the Sabra Defence informed the Trial Chamber that they had elected not to call a Defence case. On 22 March, a second Pre-Defence Conference was held, and on 23 March, the Trial Chamber scheduled the hearing of the Defence case for Mr Oneissi between 10 and 20 April 2018.

The Trial Chamber also issued four written filings in March. These included a decision, dated 23 March, denying a Merhi Defence application to order the Prosecution to disclose material from a witness’ interview and to remind the Prosecution of its disclosure obligations. In another filing of 12 March, the Trial Chamber acknowledged the receipt of 45 business records and other documents into evidence, tendered by the Prosecution in a bar table motion in 2015 under Rule 154 of the Rules, that had been subsequently admitted into evidence through Witnesses PRH705 and PRH707. On 23 and 28 March, it also admitted into evidence exhibits marked for identification for the Sabra Defence and the Oneissi Defence, and an additional document for the Oneissi Defence, and denied the admission of 50 call sequence tables and another document tendered by the Sabra Defence.

On 3 April, the Trial Chamber partly granted a Sabra Defence application and admitted into evidence a report made by Mr Ahmed Abu Adass’ father to the police about his son’s disappearance, and a call sequence table showing the frequency of contacts between Mr Ziad Ramadan and Mr Abu Adass before and shortly after the latter’s disappearance. On 11 April, it dismissed as inadmissible an application filed by the Oneissi Defence seeking certification to appeal the modification of the classification of its witness list from public to confidential. The Trial Chamber held that it had not yet decided the application and that, therefore, the Oneissi Defence had sought certification to appeal a decision that had not yet been made.

On 13 April 2018, ahead of the Oneissi Defence case, the Trial Chamber declared that Professor Siegfried Ludwig Sporer, one of two witnesses the Oneissi Defence proposed to call to give evidence in court, was qualified to provide expert opinion evidence under Rule 161 of the Rules. It decided that it would admit into evidence parts of Professor Sporer’s expert report into evidence, and ordered the Oneissi Defence to have the expert witness correct his report in accordance with the decision.

On 12 April, the Oneissi Defence filed a motion seeking the disqualification and withdrawal of Judges David Re, Janet Nosworthy and Micheline Braidy, alleging that their conduct towards the Oneissi Defence showed bias. Pursuant to Rule 25 the Rules, these Judges were given an opportunity to present their views before a Panel of three Judges designated to adjudicate the disqualification application. On 4 May, the Panel rendered its decision, dismissing the Oneissi
Defence application for the disqualification and withdrawal of the three Judges. Proceedings resumed thereafter with CMSS approving, on 7 May 2018, the distribution of the Trial Chamber’s decisions filed on 13 April.

On 8 May, the Presiding Judge of the Trial Chamber ordered that hearings resume on 14 May, with the evidence of Professor Sporer, followed by that of Mr Michael Taylor and ordered the Sabra Defence to provide a table setting out the relevance and probative value of 20 witness statements to assist the Trial Chamber in deciding a Sabra Defence motion seeking to order the production of, and subsequently admit, this additional material into evidence.

On 11 May, the Trial Chamber admitted into evidence a call sequence table depicting 63 call records from 14 February 2005, involving a mobile belonging to Mr Ghassan Ben Jeddo, the Al-Jazeera television network’s Beirut Bureau Chief in 2005, that had been marked for identification for the Sabra Defence.

On 14 May, the Trial Chamber dismissed as moot an application by the Oneissi Defence to reclassify its updated Rule 128 witness list as public and granted an Oneissi Defence application to amend its witness list—by adding four witnesses—and its exhibit list by adding one exhibit and withdrawing 16. The Trial Chamber also admitted into evidence ten witness statements, under Rule 155—without requiring the witnesses to attend for cross-examination—and two exhibits—consisting of extracts from CDs—relied upon in Professor Sporer’s expert report. The Trial Chamber found that the witness statements were relevant and probative as sources for Professor Sporer’s analysis and conclusions and helped to make his expert report understandable. Noting its decision of 13 April, the Trial Chamber, based on the admission of this evidentiary material, and the lack of objection from the Prosecution, admitted Professor Sporer’s corrected expert report in its entirety, with the exception of limited portions which relied on an unattended witness statement.

On 14 May, the Presentation of the Defence case for Mr Oneissi also commenced on 14 May with Professor Sporer’s testimony in relation to the general principles of eyewitness identification and the evolution of identification procedure as outlined in his expert report. Professor Sporer continued his testimony on 15 and 16 May regarding cognitive, social and time factors that may affect identification decisions. The Trial Chamber received evidence regarding the approaches of constructing line-ups, one based on “similarity-to-suspect” strategy and the other on “match-to-description” strategy. On 15 May, the Prosecution cross-examined Professor Sporer, the Trial Chamber heard testimony about issues including the integration of recommendations from psychological studies into guidelines to be followed by prosecutors and investigators in different jurisdictions and his prior experience in conducting investigations or testifying before courts.

On 16 May, the Trial Chamber, under Rules 112 (A) (ii) and 128 (i) (b), ordered the Oneissi Defence to provide a summary of facts for Mr Jamil El-Sayyed’s expected evidence, before his anticipated testimony in June. The Trial Chamber—which considered that the Oneissi Defence’s witness list, while detailing the topics on which Mr El-Sayyed would testify, did not inform it of the substance of his expected testimony on these topics, thus preventing the Trial Chamber from assessing the probative value and potential length of this testimony—relied on the practice established by the trial chambers of the International Criminal Tribunal for the former Yugoslavia. This required the Defence to file sufficiently detailed summaries of facts on which each witness is expected to testify to assist the Judges’ preparation to hear the witnesses’ evidence and the Prosecution’s preparation for cross-examination. On 4 June, the Trial Chamber dismissed an application by the Oneissi Defence to reconsider this order, both on its merits and because it was moot.

Mr El-Sayyed, a former Lebanese military officer and Director-General of the Lebanese General Directorate of General Security and current member of the Lebanese Parliament, testified between
5 and 7 June. The Trial Chamber received evidence from Mr El-Sayyed regarding his interaction with the United Nations International Independent Investigation Commission (“UNIIIC”) and the Lebanese authorities following Mr Hariri’s assassination, and the political situation in Lebanon before the attack. With respect to the latter, the Trial Chamber heard testimony concerning the 2000 electoral law, a meeting between Mr Hariri and Mr Bashar El-Assad, Syria’s President, which took place in Damascus on 25 August 2004, the deterioration of relations between the Syrian Government and Mr Hariri, the extension of former Lebanese President Emile Lahoud’s mandate, the UN Security Council Resolution 1559, and Mr Hariri’s resignation as Prime Minister.

On 6 June, the Trial Chamber clarified one aspect of its decision issued on 30 November 2017 admitting into evidence extracts of a UNIIIC memorandum, and dismissed the Prosecution’s application to reconsider its admission.

On 21 June, the Trial Chamber, in the interests of justice, granted a motion by the Sabra Defence to partially reconsider a decision issued on 3 April 2018, and admitted into evidence a call sequence table for the Abu Adass family landline, concerning calls between 1 December 2004 and 28 February 2005. The Trial Chamber considered that the call sequence table was relevant to show calls from Mr Ziad Ramadan to the Abu Adass landline, and also because it did not include three calls that allegedly were made by “Mohammed” to the Abu Adass household. The following day, it dismissed a Sabra Defence motion requesting it to order the production and admission into evidence of 20 witness statements and five responses to requests for assistance as additional evidence under Rules 165 and 149 (C) of the Rules, respectively.

Also on 22 June, the Trial Chamber granted an application by the Oneissi Defence for leave to amend its exhibit list and to add 26 documents potentially probative of Mr Abu Adass’ civil status, profile, religious and ideological beliefs or to challenge the credibility of certain Prosecution witnesses. These included photographs of Mr Abu Adass and his relatives, his identity card, documents extracted from his computer’s hard drive, a letter from the Lebanese Minister of Justice on the interpretation of the Lebanese law about the acquisition of real estate rights by foreigners, photographs of four receipts of payment for internet subscriptions, extracts from a book on the ‘science of social and political negotiations’, photographs of audiotapes by two alleged high-ranking al-Qaeda figures or supporters, an article about a Jordanian man who carried out a suicide attack in Iraq on behalf of Daesh.

On 28 June, the Trial Chamber delivered two oral decisions in court and dealt with procedural matters pertaining to the formal admission of evidence tendered in the Oneissi Defence case. In the first, the Trial Chamber dismissed a Sabra Defence application to order the Prosecution to disclose documents in three categories, namely: (i) Prosecution standard operating procedures which were made during Mr Taylor’s tenure as Chief of Investigations; (ii) an investigations (or strategic) plan he authored; and (iii) documents relating to a mission to interview a person who is described as a relative of Witness PRH056. In the second, the Trial Chamber dismissed an application by the Sabra Defence to admit into evidence 112 witness statements without calling a Defence case itself. Written reasons for both oral decisions were issued on 13 July.

Also on 28 June, the Oneissi Defence closed its case, and the Presiding Judge noted the completion of the presentation of evidence by the Parties and the LRVs, subject to an outstanding decision on a Sabra Defence application to admit into evidence three aide-mémoire. On 16 July, the Trial Chamber admitted into evidence one of three aide-mémoire and declined to admit the remaining two into evidence.
(iv) **Rule 165 witness**

On 13 April 2018, the Trial Chamber, partly granting a Sabra Defence application and exercising its discretion under Rule 165 of the Rules “Powers of Chambers to Order Production of Additional Evidence”, ordered the attendance of Mr Taylor, the former Chief of Investigations in the Office of the Prosecutor, to testify. The Trial Chamber reasoned that the Sabra Defence, while electing not to call a Defence case, had consistently argued that Mr Khaled Taha may have been involved in Mr Abu Adass’ disappearance, and hence, implicated in the plan to assassinate Mr Hariri. The Sabra Defence contended that, if this was correct, then Mr Sabra was not guilty. The Trial Chamber also referred to the Sabra Defence submissions that the Prosecution had failed to properly investigate this alternative theory of liability, and request to the Trial Chamber to call four former investigators to shed light on this omission. The Trial Chamber held that of the four witnesses proposed, Mr Taylor could have the necessary overview of the Prosecution investigations, but emphasized that neither the Prosecution, nor the conduct of its investigation, was on trial.

On 12 and 14 June, it dismissed a Prosecution motion to reconsider the Trial Chamber’s decision to call Mr Taylor as a witness, and a Sabra Defence application to disclose material related to Mr Taylor. On 12 June, it ordered the Prosecution and LRVs to file their final trial briefs by 16 July and the Defence by 13 August, and scheduled to hear oral closing arguments between 27 August and 7 September.

Mr Taylor testified before the Trial Chamber between 25, 26 and 27 June, and was questioned by the Trial Chamber Judges and Alternate Judges about the investigation into Mr Abu Adass’ disappearance and Mr Khaled Taha’s potential involvement in that disappearance. The Trial Chamber also heard testimony, during Sabra Defence cross-examination of Mr Taylor, about whether certain deficiencies of the investigation could be used to determine whether Messrs Sabra and Oneissi’s alleged involvement was the only reasonable conclusion to be drawn from the circumstantial evidence put forward by the Prosecution in relation to Mr Abu Adass’ disappearance.

(v) **Final trial briefs and closing arguments**

On 11 April, the Trial Chamber issued a scheduling order for final trial briefs and closing arguments pursuant to Rule 147 of the Rules. On 14 May, the Trial Chamber suspended that order, as a result of its inability to sit arising from the Oneissi Defence’s application for the disqualification and withdrawal of Judges Re, Nosworthy and Braidy, and uncertainty then surrounding the scheduling of testimony of Mr Taylor and the Oneissi Defence’s second witness, Mr El-Sayyed. On 27 July, for logistical reasons, the Trial Chamber rescheduled the oral closing arguments between 3 and 14 September. It later informed the Parties, LRVs and other participants, on 20 August, that it would hear the oral arguments between 11 and 21 September.

On 31 July, during the judicial recess, the Trial Chamber dismissed a motion filed by the Merhi Defence and Oneissi Defence to strike the Prosecution’s final trial brief from the record. In the written reasons of 31 August that followed the judicial recess, the Trial Chamber explained that the filing of written closing briefs is not mandatory and that rules of procedure of other international criminal tribunals, on which the Rules are based, do not require the Parties to provide precise references in their briefs and added that neither Party would suffer any prejudice because of it.

On 6 September, the Trial Chamber granted a request by the LRVs to permit seventeen public participating victims to be present in the courtroom, in groups of three to six, during public hearing sessions of the closing arguments. On the same day, it also varied the terms of protective measures of four participating victims to formally recognize the disclosure of their identities as participating victims to family members and persons accompanying them to Leidschendam, the Netherlands, to
observe the presentation of the Parties’ and LRVs’ closing arguments, and permitted two of them simultaneous access to the ‘private victims’ gallery’ with their respective family members.

On 7 September, the Trial Chamber filed 51 written questions for the Parties and the LRVs to address in their oral closing arguments: 27 for the Prosecution, four for the Legal Representatives, one for the Ayyash Defence, four for the Merhi Defence, four for the Oneissi Defence and 11 for the Sabra Defence.

On 11 September, the Trial Chamber granted an application by Mr Saad Hariri, who was then the caretaker Lebanese Prime Minister, to be present in the courtroom during public hearings starting that day. Mr Hariri, the son of Mr Rafik Hariri who was killed in the 14 February 2005 attack, is a public participating victim.

Closing arguments in the Ayyash et al. case were opened on 11 September, with a general overview of the procedural history of the case and some of the challenges the Trial Chamber faced during the trial, highlighting the volume and complexity of the evidence before it. Over the next nine sitting days to 21 September, the Trial Chamber heard closing arguments from the Prosecution, LRVs and Counsel for the four Accused.

The Prosecution submitted its closing arguments on 12, 13 and 14 September; the LRVs made submissions on 14 September; and the Defence for each of the four Accused presented closing arguments from 17 to 21 September.

The Presiding Judge concluded the hearing of 21 September with closing remarks, expressing sympathy to those who suffered bereavement, loss, or injury as a result of the 14 February 2005 attack and highlighting the unique factors which contributed to its length of the trial, including adjournments, suspensions and attempts to prevent witnesses from testifying. After thanking all of those assisting in the trial, he formally declared the hearing closed under Rule 148 (A) of the Rules, and announced that the Trial Chamber would retire to examine the evidence and deliberate on whether the Prosecution had proved its case against the four Accused beyond reasonable doubt.

(vi) Miscellaneous

On 13 July, the Trial Chamber issued a decision noting Rule 155 of the Rules as the legal basis to admit Witness PRH028’s statement into evidence, in light of information received from the Prosecution that it had located the previously unavailable witness, and from the Merhi Defence that it no longer wished to cross-examine him. The same day, the Presiding Judge ordered that a package addressed to “Judge David Rae, Special Tribunal for Lebanon”, with the name of the sender on the back of the package “MP Gen. Jamil Sayyed, Lebanese Parliament, Beirut Lebanon” be returned—unopened—to the purported sender.

On 10 September 2018, on the basis that the transparency of the process of justice before the Tribunal and the rights of the Accused to a fair trial so required, the Presiding Judge of the Trial Chamber published correspondence between the Trial Chamber and the newly appointed Head of Defence Office (“HDO”), Ms Dorothée Le Fraper du Hellen, informing the Trial Chamber of her decision to delegate some of her functions with respect to all matters relating to the effective representation of the Merhi Defence Counsel. Following the Head of Defence Office’s appearance in court during the hearing of the closing arguments, on 21 September 2018, the Trial Chamber issued an oral order inviting written submissions from the Parties, the HDO and Deputy HDO, addressing the potential conflict of interest between the HDO’s previous and current roles, and specifically, whether judicial intervention is required. For completeness of the record, in an addendum on 28 September 2018, the Presiding Judge also published a memorandum previously
sent to the Deputy HDO, on the same matter. In an order of 5 October 2018, noting the Head of Defence Office’s decision to revoke the delegation and her wish to implement an “alternative mechanism” to deal with the situation, the Trial Chamber required the HDO to inform it of the details and timeline for the envisaged mechanism. On 11 October 2018, the Presiding Judge notified the Parties that he had proposed an amendment to Rule 57 of the Rules to the Vice-President, to insert a new subsection in Rule 57 that would deal with potential conflicts of interest regarding the HDO and create a mechanism to remedy any such situation.

(b) STL-17-07 – Connected case(s)

As a result of the Prosecutor’s public withdrawal of the proposed indictment on 12 April 2018, the Pre-Trial Judge ceased to be seized of judicial proceedings in the STL-17-07 case.

(c) Contempt

In accordance with Rule 60 bis of the Tribunal’s Rules, the Tribunal may hold in contempt those who knowingly and wilfully interfere with its administration of justice.

(i) In the case against Akhbar Beirut S.A.L. and Mr Ibrahim Mohamed Ali Al Amin (STL-14-06)

In the case concerning the Lebanese newspaper, Al Akhbar, and its Editor-in-Chief, Mr Ibrahim Mohamed Ali Al Amin, related to the publication of information on confidential Tribunal witnesses, on 12 October 2018, the Contempt Judge issued an Order Lifting confidentiality over four earlier orders and one decision relating to the execution of sentence, after the sum imposed on Mr Al Amin by way of a fine was fully deposited with the Registry of the Tribunal on 14 August 2018.

In the order of 6 December 2016, the Contempt Judge had requested the Lebanese authorities to collect the fines imposed on 29 August 2016 on Mr Al Amin and Akhbar Beirut S.A.L. through the freezing, seizure or confiscation of assets belonging to the Accused or by any other means available under Lebanese law. The order also requested the Lebanese authorities to provide the Contempt Judge with a report on the efforts made to collect the funds within sixty days. In a 20 March 2017 order, the Contempt Judge then requested the Lebanese authorities to provide responses in writing to questions concerning the steps taken to collect the funds.

On 16 July 2018, noting the failure of Mr Al Amin to effect payment of the EUR 20,000 fine and to provide reasons therefor, the Contempt Judge converted the fine to a term of 40 days imprisonment equating to one day for each EUR 500 owed. The Contempt Judge further noted the continuing need for Akhbar Beirut S.A.L. to pay the EUR 6,000 fine imposed on 29 August 2016 because a fine imposed on a legal person cannot be converted into a term of imprisonment. In the second order issued on 16 July 2018, the Contempt Judge noted his decision to convert the fine imposed on Mr Al Amin into a term of imprisonment and issued an arrest warrant against him, requesting the competent authorities of Lebanon to execute the warrant. The full amount of the fine imposed on Mr Al Amin was deposited with the Tribunal’s Registry on 14 August 2018, prior to the execution of the arrest warrant.

(d) El Sayed

In accordance with the Pre-Trial Judge’s decision of 8 October 2012, the Prosecution submitted to the Pre-Trial Judge, in April and October 2018, updated risk assessments for a number of individuals whose statements Mr Jamil El Sayed had requested be disclosed.
3. Staff appeals

The Judges adjudicated a number of staff appeals concerning various administrative decisions of the Registrar during the reporting period. Staff appeal judgments are made available to the Tribunal’s staff members on the Tribunal’s intranet, with appropriate redactions to protect the privacy of affected individuals.

4. Office of the President

The President of the Tribunal has worked to ensure the effective functioning of the Tribunal and to strengthen the good administration of justice. Activities within the Office have focussed on three central tenets of transparency, efficiency and accountability, advancement of which has played an increasingly important role over the past decade of the Tribunal’s operation.

(a) Transparency

The President’s Office coordinated the Tribunal’s briefing to the diplomatic community on 12 April 2018, which was hosted by the Canadian Ambassador. The President and other Principals hosted the annual visit of the Management Committee at the seat of the Tribunal in Leidschendam on 13 and 14 June 2018. The Management Committee’s annual visit provides an opportunity for the Judges and other Principals to engage in frank and focussed dialogue with the Management Committee regarding the Tribunal’s progress, achievements and challenges.

The Trial Chamber has ensured that the trial proceedings in the Ayyash et al. case have advanced in accordance with timeline estimates created in previous reporting periods, reporting regularly, in court and in written decisions, on the state of progress. Timeline estimates necessarily take into account legitimate contingencies that might arise from the course of litigation, given the complicated nature of multi-accused proceedings the Tribunal first substantive trial. During the reporting period, such contingencies stemmed from various sources, including, for example, the application by one Defence team seeking the disqualification and withdrawal of three Judges under Rule 25 (C) of the Rules, rendering those Judges unable to participate in trial proceedings while the matter was adjudicated. Notwithstanding the complexity of litigation, key milestones have been achieved as outlined in Part II.A.2.(a) above.

Within other Chambers, timeline indicators have been prepared, and used to promote discussion concerning effective judicial administration.

(b) Efficiency

In line with the unwavering commitment to optimizing the efficiency of proceedings at the Tribunal, the President, Vice-President and other Judges held their annual Plenary on 25 April 2018, during which they discussed proposals of amendment to the Rules. Further proposals, including some inspired by lessons learned throughout the proceedings, were again discussed during the meeting of the Tribunal’s Rules Committee, which took place in November 2018.

This year, the Office of the President has pursued a commitment to ensure that appropriate staffing levels are maintained in order to ensure the Judges have sufficient assistance to carry out Chambers’ work as expeditiously as possible. Additional experienced legal staff were recruited to assist the Trial Chamber in the final phases hearings in the Ayyash et al. case and to assist in the drafting of the final trial judgment. Recruitment processes have also been put in place to ensure
other Chambers can recruit, if and when is necessary, in order respond rapidly to any changes in workloads.

The President has continued to implement policies developed in previous reporting periods to streamline the administrative processes associated with the Judges’ rights and obligations and to promote consistent and transparent judicial administration.

The President has continued to promote cooperation between all Organs to foster good working relations among internal stakeholders. In particular, cooperation has targeted the joint efforts made towards planning for the transition the Tribunal will ultimately face as it concludes its mission, and exploration of efforts to create a publically available database to provide greater access to the Tribunal’s case-law to internal and external stakeholders.

(c) Accountability

The Tribunal has adopted measures designed at safeguarding the highest standards of judicial conduct. An accountability mechanism, guaranteeing consistent handling of any complaints and ensuring confidence of stakeholders in the judiciary, came into effect at the beginning of the reporting period.

The Tribunal’s Judges have continued to comply with the high demands set by the Tribunal and the President for the promotion of strong ethical standards in their work. The Tribunal has been a pioneer in setting a standard for impartial and independent judiciary and has set the trend for other international criminal tribunals to follow, evidenced for instance by the implementation of a Code of Conduct for Judges by the International Residual Mechanism for Criminal Tribunals, inspired by that adopted by the Tribunal’s Judges in 2016.

5. External relations

In light of the Tribunal’s strong relationships with the international community, the President conducted numerous meetings with members of the diplomatic, legal, political and academic communities.

This included missions to Lebanon between April and October 2018, where the President and Vice-President met with various Lebanese officials and conducted briefings to the diplomatic, legal and academic communities in Lebanon, including with representatives of Management Committee in Lebanon and meetings with the Lebanese Minister of Justice, the Acting United Nations Special Coordinator for Lebanon, the Prosecutor General of Lebanon, the President of the Court of Cassation and the Beirut Bâtonier.

On 12 April, the President, together with the Prosecutor, Head of Defence and Registrar, conducted the Tribunal’s flagship diplomatic event, the annual briefing on the activities of the Tribunal, which in 2018, was hosted by the Ambassador of Canada at her Official Residence. The event was attended by Ambassadors and emissaries from embassies in The Hague, who were briefed on the latest developments of the Tribunal and posed questions to the Principals in relation to its work.

The President met with the United Nations (“UN”) Under Secretary-General for Legal Affairs in New York in October 2018 and during his visit to Leidschendam in January 2019. The two discussed the importance of efficiency, transparency and accountability of the Tribunal. The President and other Principals also met with the UN Assistant Secretary-General for Legal Affairs during his visit to the Netherlands, in November 2018. During the reporting period, the President also briefed the
representatives of the Management Committee in meetings held in New York, Beirut and Leidschendam on the measures undertaken to enhance these objectives.

Through participation in various events in The Hague, Beirut and elsewhere, the President, Vice-President and other Judges reinforced the Tribunal’s relationships with civil society by delivering lectures on various topics related to the Tribunal’s work. In line with the Chambers’ vision to promote cooperation with the Lebanese legal community and encourage Lebanese participation in international criminal law lectures were delivered as part of the Inter-University Programme on International Criminal Law and Procedure.

During the reporting period, Chambers staff also worked to prepare the 2017 Casebook—fully-indexed compilations of important decisions rendered by Chambers in 2017. Produced in all three of the Tribunal’s official languages, the 2017 Casebook will be publicly available through the Tribunal’s website and in print. Casebooks from previous years can also be obtained online.

6. The way forward

In the year to come, the Chambers will persevere in their commitment to strengthen the efficiency of the court proceedings and to encourage the optimal use of the Tribunal’s resources. The Chambers will continue to work towards the fulfilment of the three main principles defended in the Tribunal: transparency, efficiency and accountability.

The areas that will represent the Chambers’ main focus for the next year are as follows:

(i) Completion of the Tribunal’s judicial work in the Ayyash et al. case, particularly the drafting of the trial judgment;

(ii) Development of a transition plan, as the Tribunal’s mission moves towards its next phases; and

(iii) Advancing strategies concerning Chambers’ role in the Tribunal’s legacy to ensure its work continues to deliver long-lasting benefits for Lebanon and the international community.
1. Introduction

The period from March 2018 to February 2019 has shown significant achievements and progress in the delivery of the mandate of the Office of the Prosecutor (“OTP”), as stipulated in the Statute. Most notably the reporting period has been marked by the completion of the trial in the Ayyash et al. case. However, additional achievements and progress in meeting the broader OTP mandate continue far beyond the end of closing submissions. While in the Ayyash et al. case the achievements can be benchmarked against the different phases of the trial proceedings, in the other important areas of the work of OTP, the confidential nature of the investigations, the internal preparations and the work behind the scenes does not make the progress as visible and measurable. This report highlights these achievements and progress.

First, the report describes the work accomplished in the final stages of the Ayyash et al. trial. Through the Final Trial Brief and the Closing oral arguments, the Prosecution had the final opportunity to give context and bring together the complex and technical strands of evidence adduced over four years, to build the Prosecution case.

Although a major achievement, the completion of the trial does not complete all trial related work of the OTP. The report details the ongoing disclosure obligations, the review of the documents for the purpose of their publication, and appellate preparations in anticipation of the trial judgement. In so doing, the report explains the rationale and the extent of these important and time-consuming activities.

Second, the report touches on other ongoing work of the OTP, much of it behind the scenes. This includes the investigative and analytical work done with the aim of re-submitting an updated indictment; as well as the ongoing full-fledged investigations into the three terrorist attacks and the continuing assessment of potentially related cases. Other important out of court work has included conducting missions, ensuring witness participation, and seeking and securing State cooperation.

Third, the report discusses the Prosecutor’s considerable planning for the future. His aim is to ensure that the OTP can meet the needs arising from the final stages of the proceedings in the Ayyash et al. case; is prepared to undertake any appeal or appellate response as necessary, depending on the trial judgment of the Trial Chamber; and, at the same time, can move forward quickly when the updated confidential indictment is re-filed. Further, he has sought to ensure sufficient capacity to carry out the other critical ongoing work within the jurisdiction of the OTP highlighted above; in addition to reviewing and assessing the other terrorist attacks that occurred in Lebanon, which may potentially fall within the jurisdiction of the Tribunal.

Lastly, the report sets out the anticipated way forward for the coming year, the objectives of the OTP, and the intention to meet such objectives within a budget that is in effect a reduction for the sixth year in a row.

4 This section has been prepared by the Office of the Prosecutor.
Following the conclusion of the presentation of its evidence-in-chief, and the Trial Chamber ruling in favour of the Prosecution on a Defence application seeking the acquittal of one of the Accused, Mr Oneissi, the focus of the OTP over the reporting period has been driven by the three main final stages of the trial:

(i) Response to the Defence case: although only one Defence team indicated formally that it intended to present a case and called witnesses, a second Defence team presented their case by filing extensive evidence in written form and requested a witness to be called by the Trial Chamber. In response, the Prosecution had to prepare for and question the witnesses called by the Defence and the Trial Chamber, file a large volume of written submissions and motions, and make oral arguments throughout the Defence case regarding the proper admissibility of Defence evidence.

(ii) Final Trial Brief: following the conclusion of the evidence, the Prosecution filed a detailed, comprehensive Final Trial Brief numbering almost 400 pages and over 100,000 words. This involved a lengthy process of preparation and industry outside of the courtroom, drawing together and analyzing four years of very technical evidence perhaps unprecedented in its complexity, extent and sophistication. The OTP Final Trial Brief provided a clear, concise and comprehensive picture of the evidence set in its wider context, reflecting: the role of the four accused, and the former accused, the co-conspirator Mr Mustafa Amine Badreddine; the evolving plot over several months; a detailed account of the day of the attack against former Prime Minister Hariri; and the legal basis of guilt. The Final Trial Brief wove together the vast number of strands of evidence necessary to form the Prosecution case against sophisticated criminal operatives.

(iii) Closing oral arguments: in its preparation, the Prosecution reviewed voluminous call data evidence as well as forensic and political evidence. Further, it scrutinized all four Defence final trial briefs, which cumulatively extended to approximately 800 pages and over 200,000 words, as well as the final trial brief of the Office of the Legal Representatives of Victims, collectively totaling over 1,000 pages of submissions plus hundreds of pages of annexes. The Prosecution prepared over 200 slides covering all aspects – legal and evidentiary – of its case as well as visual aids to demonstrate shortcomings in the Defence cases, the vast majority of which were shown in open session during the closing arguments. During the closing arguments the Prosecution submitted its case, responded to arguments made in each of the four Defence final trial briefs, and answered over 160 questions from the Trial Judges. In sum, after over four years of proceedings, involving more than 2,400 exhibits and 260 witnesses, the Prosecution required only 16 hours of court time to succinctly and thoroughly present its case, reply to all four Defence final briefs and respond to the Trial Chamber’s questions.

As noted, the completion of the closing arguments did not end the trial work of the Prosecution. First, the Prosecution continues with its ongoing disclosure obligations. Second, the Prosecution reviews and redacts if necessary, all documents used in the trial so they can be made public. Third, to be ready when the Trial Judgement is rendered, the Prosecution is preparing for any possible appeal.

First, the Prosecution is required by the law of the Tribunal to continue to disclose to the Defence certain types of evidence or information which is obtained even after the closing arguments. This requires reviewing and providing recently taken witness statements, new exhibits, material received pursuant to “Requests for Assistance” and potentially exculpatory material to the Defence
under Rule 113 of the Rules. In addition, the OTP responded to separate written requests from the various Defence teams for the inspection of evidence within the OTP’s possession.

Second, the Prosecution is required to review all exhibits filed at trial to determine whether all or part can be made public. Since the completion of the Trial, the Prosecution has engaged in the review of Prosecution exhibits (reviewing over 500 exhibits, which contain around 1,135 documents, totaling to approximately 24,000 pages, to the end of 2018 alone) and has worked with the Defence teams on Defence exhibits, to determine whether they can be made public in their entirety, or whether they require redactions. Redactions may be necessary to safeguard protected witnesses or to avoid identification of innocent third parties whose details are irrelevant to the evidence. The aim of this project is to: (i) to allow the Trial Chamber in its public judgment to rely on publicly available evidence and (ii) to ensure that the Tribunal is in a position to make public other court records by the time the Trial Chamber renders its judgment.

Third, the Prosecution needs to be prepared, once the Trial Judgement is rendered, to make imminent decisions about whether to appeal, and respond to any appeal filings by the Defence. The need for comprehensive appellate preparation flows from the relevant regulatory framework. Under Rule 177 (A) (i) of the Rules, if all of the accused are acquitted of all charges the Prosecutor has 30 days from the pronouncement of the judgement to appeal to the Appeals Chamber. In all other cases, pursuant to Rule 177 (A) (ii) of the Rules, the convicted persons or the Prosecutor may file a notice of appeal of judgment and/or sentence within 30 days of the pronouncement of sentence. Against such a tight timeframe, appellate preparation in anticipation of the judgement has involved close cooperation throughout the final phases of the trial and afterwards between the Trial Team and the Legal Advisory and Appeals Section (“LAAS”) of the OTP. Such collaboration is essential to enable the identification of key issues as well as a smooth transition and handover between the Trial Team and the LAAS. The Prosecutor has decided that the Trial Team is to be discontinued at the start of 2019. Experienced Trial Counsel, Analysts, and Case Managers working on the Trial Team are being redeployed to other teams where their functions, skill sets and institutional knowledge are beneficial to that team, and will contribute to a more expeditious achievement of the work. If any exigencies arise in relation to the trial prior to Judgment they can be addressed by temporarily re-assigning experienced staff back to deal with such matters, as necessary.

3. Update on confidential indictment

As stated in his Public Redacted Version of the Notice of Withdrawal of the Request for Confirmation of an Indictment of 12 April 2018, the Prosecutor has withdrawn the indictment in order to reflect additional evidence that will form part of the supporting materials to the updated indictment that the Prosecutor indicated is to be submitted to the Pre-Trial Judge.

4. Ongoing investigations within the jurisdiction of the OTP

During the reporting period, the OTP continued investigations necessary to support the Prosecution’s case and to consider any evidence regarding others who may be responsible for the 14 February 2005 attack. The Prosecutor remains open to receive any information that might be relevant to any investigative matter within the jurisdiction of the OTP, including in relation to command responsibility.
The OTP continues with its intense and focussed investigations into the three terrorist attacks that have been found to be connected with the attack against Mr Hariri and deferred to the Tribunal. These are:

- the attempted assassination of Mr Marwan Hamade, the former Economy Minister, on 1 October 2004;
- the assassination of Mr George Hawi, the former Head of the Communist Party, on 21 June 2005; and
- the attempted assassination of Mr Elias el-Murr, the outgoing Deputy Prime Minister and former Defence Minister, on 12 July 2005.

While these attacks have some similarities, there are also differences that require distinct investigative strategies, resulting in careful and time-consuming investigations.

Progress has been made and a number of different investigative and analytical lines of inquiry are still being pursued. The Prosecution is analyzing the evidence both on an individual case basis, and overall in relation to the combined evidence related to all three cases. This involves forensic, investigative, analytical and legal work, with a view to potential prosecutorial activities. There is close cooperation between the dedicated Connected Cases Team, the Trial Team working on the Ayyash et al. case and the Related Cases Team.

5. Assessment of potentially related cases

A further component of the OTP’s work concerns other attacks that occurred in Lebanon which may potentially fall within the jurisdiction of the Tribunal. As the OTP has no jurisdiction over these cases, it cannot conduct full investigations. Unless jurisdiction is sought, these cases remain for the Lebanese judicial authorities to investigate and prosecute.

The role of the OTP is limited to analyzing and assessing whether any other attacks occurring in Lebanon within the relevant timeframe could be connected to the attack against Mr Hariri on 14 February 2005 in the manner required by Article 1 of the Statute. This assessment involves forensic, investigative, analytical and legal work in order to reach a conclusive comprehensive assessment. If the Prosecutor is satisfied that there is a requisite connection to the 14 February 2005 attack, the OTP would take the steps necessary to seek jurisdiction over these cases in accordance with the Statute.

During the reporting period the Prosecutor has reinforced the investigative capacities of the Related Cases Team through the recruitment of a senior investigator, investigators and analysts, in order to intensify its activities for the purpose of (i) possibly recommending further investigations and (ii) ensure the preparedness and ability of the OTP, where and when appropriate, to provide material to the relevant Lebanese judicial authorities for their investigations.

The OTP will, to the extent possible and appropriate, provide material generated by the UN Independent International Investigation Commission or the OTP to the Lebanese judicial authorities. The cooperation and assistance can thus be, in a sense, not only from States to the Tribunal, but also from the OTP to Lebanon.
6. Other ongoing work of the OTP

During the reporting period, the OTP has also dedicated time and resources to other ongoing work, including the following:

- **El Sayed matter:** In accordance with the Pre-Trial Judge’s Order of 8 October 2012, the OTP submitted in April and October 2018 updated risk assessments for a number of individuals whose statements Mr Jamil El Sayed had requested be disclosed.

- **Support to the Lebanese judicial authorities:** As noted above, the OTP is continuing to provide support to the Lebanese judicial authorities, when requested and where appropriate, which may be of assistance to them in relation to cases within their jurisdiction.

- **Management, budget and staffing:** A considerable amount of time and energy is spent by the Prosecutor and OTP senior management in effective management planning to meet evolving operational needs. Effective change management, resource allocation, and identification of needs, have contributed—in addition to the hard work and dedication of staff members—to the ability to accomplish the achievements of the past year detailed in this report. As in previous years, the work has been done within the limits of a reduced budget. This reporting period has also seen careful forward planning to identify the staffing and resources required to ensure that the OTP can meet the needs arising from the final trial stages and possible appeal in the *Ayyash et al.* case, and move forward quickly when the updated confidential indictment is re-filed.

- **Transitional Planning:** In order to be prepared for any future transition as initiated by the Registry, the Prosecution has assigned staff to assist in the transitional planning working groups, has spent considerable time preparing and outlining the Prosecution transition plans for the future, and aligned its staffing requirements in anticipation of its future needs.

- **Other investigative or administrative responsibilities:** The Prosecution has other responsibilities, arising from requests from Chambers or Registry, which result in staff being assigned to conduct additional work beyond that planned for in relation to the OTP mandate. This work—entailing allocation of OTP dedicated resources to perform time-consuming tasks—has been successfully conducted without any additional cost to the Tribunal.

7. The way forward

In the coming year, the OTP will be focussed on its five primary objectives.

The first primary objective is to prepare for a potential appeal in the *Ayyash et al.* case. In accordance with the appeal timelines described above, the OTP will review any judgment of acquittal, conviction or sentence to determine whether an appeal by the Prosecution is required. Conversely, the Prosecution will respond to any appeal brought by the convicted persons. In preparation for either scenario, the OTP has assigned key LAAS staff, including the appointment of the Senior Appeals Counsel, to oversee preparation for, and argument of any appeal. This work involves ensuring a smooth trial-to-appeal handover process and, if required, engaging in significant research, drafting and oral advocacy.
The second primary objective is to complete the preparations for the next stage of the proceedings when the confidential indictment is filed and if confirmed. If confirmed, there are numerous procedural steps that must take place before the Pre-Trial Judge can submit the file to the Trial Chamber for trial. Advance preparation in anticipation of these steps, including presenting proposals to the Judge to reduce the time for pre-trial proceedings, is being and will be undertaken. In the event of such a pre-trial phase, further intensive investigative, analytical and legal work would be required to prepare for trial.

The third primary objective is to continue the ongoing investigations and extensive other work behind the scenes in relation to all cases within the OTP’s jurisdiction.

The fourth primary objective is to continue the inter-related review and assessment of the other terrorist attacks which may potentially fall within the jurisdiction of the Tribunal. The strengthened Related Cases Team will focus on analyzing and assessing whether any other attacks occurring in Lebanon within the relevant timeframe could be connected to the attack against Mr Hariri on 14 February 2005 in the manner required by the Statute. The OTP will also continue to provide support to the Lebanese judicial authorities, where appropriate, that may assist with their own investigation of the cases that remain within their jurisdiction.

The fifth primary objective is to maintain effective management planning to meet evolving needs. Managing staff and resources to adjust to the constant transition inherent in the work—target identification, investigations, different stages of legal proceedings, completing one case and staffing up for another—remains a key focus for the OTP. This need is even more acute given the continuous staff turnover associated with ad hoc institutions, which requires adaptability and constant adjustment of skills to needs. The objective is to align existing resources to meet future needs through adjustment, reassignment, training and staff buy-in when there is change, as opposed to constant recruitment of new staff.

In anticipation of the end of the trial in the Ayyash et al. case, the Prosecutor has engaged in considerable consultations and forward planning to be able to meet the evolving needs and future objectives. In particular, he has assessed and introduced a slight restructuring and a realignment of resources to ensure that the OTP is well-positioned on all fronts going forward. From preparing for possible appeal in the Ayyash et al. case, to moving forward quickly with pre-trial activities if the confidential updated indictment is confirmed, to ensuring a dedicated capacity to focus on potentially related cases, significant efforts have been made to ensure that the OTP has sufficient capacity to carry out this and other critical ongoing work within its jurisdiction. Moreover, the Prosecutor is determined that all such work is to be done within the existing level of resources. To the extent possible, therefore, the OTP will endeavour to redeploy resources from other teams within the Office, as the work allows. In furtherance of this goal, the OTP will rely on the flexibility of staff members to take on different work as necessary, and will provide such training as may be required. Above all, the OTP will continue to count on the hard work and extra efforts of staff members that made possible the achievements of the past year.

In the coming year, the OTP will continue to operate within the limits of the budget—a budget that is, in effect, a reduction for the sixth year in a row.
C. The Defence Office

1. Introduction

On 8 June 2018, Ms Dorothée Le Fraper du Hellen was appointed to the post of Head of Defence Office of the Tribunal by the Secretary-General of the United Nations (“UN”). On 23 July, the Head of Defence Office made her solemn declaration and took office. Ms Le Fraper du Hellen thereby succeeded Mr François Roux, who held the post of Head of Defence Office from March 2009 to February 2018. During the transition period, Ms Héleyn Uñac, Deputy Head of Defence Office, performed the duties of Acting Head of Defence Office.

In order to fulfil its mandate, the Defence Office comprises a Legal Advisory Section, a Legal Aid Unit and an Operational Support Unit. The Defence Office has 12 staff, of seven different nationalities. All the activities of these sections are overseen by the Head of Defence Office, assisted by the Deputy.

In accordance with its mandate, the Defence Office provided year-round operational and financial support and legal assistance to all Defence Counsel in the Ayyash et al. case and the members of their teams in order to enable them to effectively represent the rights and interests of the Accused in the ongoing proceedings. The Defence Office also continued to carry out its institutional activities, both within the Tribunal and beyond.

A detailed description of all Defence Office activities is provided below.

2. Defence Office involvement in the judicial activities of the Tribunal

Although the Defence Office is not a party in the trial, it does take part in the judicial activities of the Tribunal in a number of ways.

(a) Monitoring the proceedings and attending the hearings

2018 was marked by the closing of the Prosecution case in February, the presentation of evidence by the Oneissi Defence team in May and June, the filing of final trial briefs by the Parties and the Legal Representatives of Victims in July and August 2018, and the closing arguments in September. On 21 September 2018, the Trial Chamber declared that the hearing in the Ayyash et al. case (STL-11-01) was concluded and adjourned the case for deliberation.

During the reporting period, just as it has throughout the trial, the Defence Office followed daily the ongoing proceedings before the Tribunal through its staff within the Legal Advisory Section, whether by examining all the motions filed by the Parties and participants in the trial, or by analysing the decisions of the Court.

This real-time monitoring of the proceedings was also ensured by one or more members of Defence Office staff being in constant attendance whenever the Court was in session.

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5 This section has been prepared by the Head of Defence Office.
This monitoring allowed the various sections of the Defence Office to adapt the services that they provide according to the actual and current needs of the Defence teams, as well as to the prevailing judicial situation of the Tribunal. It enables the Legal Aid Unit, for example, to determine the resources reasonably required by the teams to defend the rights and interests of the Accused. Equally, it allows the Defence Office’s Liaison Officer in Beirut to anticipate cooperation requests from the teams to the Lebanese authorities and enables members of the Legal Advisory Section to advise Defence Counsel and members of their teams promptly and according to the realities of the trial. This monitoring of the proceedings also enables the Head of Defence Office to intervene effectively at the request of Counsel or the Court, or quasi-pro proprio motu, under Rule 57 (F) of the Rules, and likewise to make any decisions regarding matters that fall under his or her mandate in an informed manner.

(b) Management of legal aid

During the reporting period, the Legal Aid Unit implemented and monitored the legal aid budget for the Defence teams. In so doing, the Unit took a number of decisions concerning the resourcing of the teams, managed matters relating to the assignment of persons assisting Counsel, and dealt with all other issues relating to the administration of the Legal Aid Policy for the Defence. The Unit also assisted the Head of Defence Office in her management of the Defence Office budget. Additionally, the Unit prepared periodic financial reports.

Furthermore, once the case was adjourned for deliberation, the Legal Aid Unit implemented the new provisions of the Legal Aid Policy for the Defence as adopted by the Head of Defence Office on 11 July 2018. Those provisions were adopted following a consultation process with the various stakeholders that was initiated by the Defence Office during the previous reporting period. These new provisions are intended to maintain continuity of representation and equality of arms during the phases following the deliberation of the case whilst at the same time ensuring appropriate use of public funds. Likewise, a new archiving phase was introduced in order to allow Defence Counsel a set period of time in which to carry out the final archiving of the case file.

(c) Defence team composition

(i) The Ayyash et al. case (STL-11-01)

Following the amendment of the Legal Aid Policy for the Defence, a new standard composition for the teams was created for the deliberation phase. This team composition will remain the same during the sentencing phase and for the major part of the appeal proceedings, if applicable. The implementation of these provisions during the deliberation phase resulted in the abolition of nine posts in the Defence teams.

Furthermore, following her appointment on 8 June 2018 by the UN Secretary-General as the new Head of Defence Office of the Tribunal, Ms Dorothée Le Fraper du Hellen’s mandate as Co-Counsel for the Merhi Defence team ended on 29 June 2018.

Thus, at the end of 2018, the rights and interests of the Accused in the Ayyash et al. case were represented by 11 Counsel, assisted by eight persons (one legal officer and one associate legal officer or associate case manager per team).
In October 2018, after confidentiality was lifted by the Contempt Judge in respect of a number of documents, the Head of Defence Office took note of the developments in this case and terminated the assignment of Dr Antonios Abou Kasm as Counsel with effect from 21 December 2018.

(d) **Operational support to Defence teams**

(i) **Defence investigations**

During the year under review, the Defence Office dealt with five official requests for assistance from the Defence teams to the Lebanese authorities and monitored the requests still pending.

The Liaison Officer also provided support to Defence Counsel in organizing their investigative missions.

(ii) **Logistical support**

Throughout the past year, the Defence Office Case Manager provided logistical support to all the Defence teams and, in so doing, liaised between them and the various sections of the Tribunal responsible for logistical, technical and IT matters.

The Case Manager also assisted members of the Defence teams in the archiving process for their case files, in particular by organizing and taking part in training sessions on this issue. She also provided logistical and technical assistance to members of the Defence teams separating from the Tribunal.

As in the previous year, the Case Manager continued to organize and run training sessions on Legal Workflow and Transcend software for new members of the Defence teams and the Defence Office, including interns.

(e) **Legal support provided to the Defence teams and the Defence Office**

(i) **Research and legal advice**

Over the past year, the Legal Advisory Section responded to numerous requests for legal assistance from the Defence teams in various forms, including legal consultations and legal research and analysis in the form of memoranda. Staff from the Legal Advisory Section provided in particular extra assistance to the Defence teams in preparing their respective final trial briefs and their closing arguments, which took place from 11 to 21 September 2018.

(ii) **The Digest**

Over the course of 2018, the Legal Advisory Section continued to update the Digest of decisions rendered by the Tribunal. In so doing, it seeks to provide a rapid response to questions from the Defence teams regarding Tribunal case law and thus facilitate their work when drafting their motions and other documents filed before the Tribunal. The task of updating the Digest will continue during the coming year.

On the occasion of the Sixth International Meetings of the Defence, which were held on 8 and 9 November 2018 at the headquarters of the Tribunal, the Defence Office, with the assistance of the Tribunal’s Registry, published a first edition of the Digest on the Tribunal’s website. The Digest
is now available not only for the Defence teams and Tribunal staff, but also for any members of the public interested in the Tribunal’s case law. The Office of the Prosecutor also contributed to this project, which will form part of the legacy of the Tribunal.

(iii) Training

Members of the Legal Advisory Section also continued their induction training courses for staff members and interns newly arrived in the Defence Office and the Defence teams. These training sessions are focused in particular on the state of progress of the proceedings in the various cases before the Tribunal, as well as on the law and case law of the Tribunal.

(iv) Defence Training Day

On 5 November 2018, the Defence Office organized a training day for Defence Counsel assigned in the Ayyash et al. case and members of their teams. During the event, Defence Counsel and their teams, as well as Defence Office staff, were able both to review the work that has been done and that which lies ahead in the Ayyash et al. case and to discuss past and future assistance provided by the Defence Office to the Defence teams. The Defence Office also reminded the Defence teams of the new provisions of the Legal Aid Policy for the Defence relating to the phases of the proceedings following deliberation.

(v) Written interventions by the Head of Defence Office

In August 2018, the Head of Defence Office delegated some of her powers in relation to the Merhi Defence team in which she was previously Co-Counsel to the Deputy Head of Defence Office, in particular all matters relating to the effective representation of the Accused, and she informed Defence Counsel, the Heads of Organ and the Presiding Judge of the Trial Chamber of this.

Following two Orders from the Trial Chamber which had seized itself of the matter, the Head of Defence Office firstly stated in her written observations of 1 October 2018 that she intended to reassess the question of the monitoring of the performance of the Merhi Defence team and to consider putting an alternative mechanism in place, as a permanent amendment to the Rules of Procedure and Evidence in that regard was not justified. Subsequently, in her observations of 15 October 2018, the Head of Defence Office informed the Trial Chamber that she intended to entrust the monitoring of the effectiveness of the representation provided by Defence Counsel to Mr Merhi to an independent qualified consultant, clearly stating that the appointment of the independent consultant and the modalities of the conduct of such mission would remain confidential and internal to the Defence Office.

3. Regulatory activities of the Defence Office

During the period under review, the Head of Defence Office (and/or his/her representative) addressed the plenary of Judges on 25 April 2018 and took part in the Rules Committee on 6 November 2018 as part of the process for amending the Rules of Procedure and Evidence as provided for under Rule 5 of the Rules.

In December 2018, the Head of Defence Office and the Registrar jointly submitted to the President of the Tribunal a proposed amendment to the Code of Professional Conduct for Defence Counsel and Legal Representatives of Victims appearing before the Special Tribunal for Lebanon (adopted in 2012) with a view to explicitly prohibiting discrimination and harassment, including sexual harassment and abuse of authority in the workplace or in relation to work. Although the Head of
Defence Office and the Registrar consider that the provisions of Article 1 of the Code of Professional Conduct for Counsel appearing before the Tribunal (adopted in 2011) already prohibit such conduct, they felt that it was appropriate to propose to the President the addition of an Article 13 bis (as well as four related definitions) to the above-mentioned Code in order to reinforce the prohibition of such conduct and the professional obligation of Defence counsel and legal representatives of victims in that regard. Following consultation with the Prosecutor, the President adopted the Code as amended on 29 January 2019.

4. List and training of Defence Counsel

(a) Admission of new Counsel to the list

During the course of the past year, the Defence Office received ten new applications from lawyers wishing to be admitted to the list of Defence Counsel drawn up pursuant to Rule 59 of the Rules of Procedure and Evidence.

On 22 and 23 May 2018, the admission panel held 11 interviews from Leidschendam, as a result of which ten candidates were admitted to the list, four as Lead Counsel and six as Co-Counsel.

At the end of 2018, the list comprised 186 Counsel of 39 different nationalities registered with 84 different bar associations. Of that number, 14 Counsel are registered with one of the two Lebanese bar associations in Beirut or Tripoli.

(b) Training of Counsel newly admitted to the list

On 6 and 7 December 2018, the Defence Office held a training session for six lawyers recently admitted to the list of Defence Counsel. The lawyers, all of whom were of different nationalities including Lebanese, were able to familiarize themselves over the two-day course with the applicable law and procedure before the Tribunal, as well as with the various practical, legal and ethical challenges facing Defence Counsel at the Tribunal.

The lawyers took part in workshops led by Defence Office staff on the particularities of the work of Defence Counsel at the Tribunal and on the preliminary phase of a case. They also attended presentations on Lebanon, on digital and telecommunications evidence, on the role of the Pre-Trial Judge at the Tribunal and the Defence Legal Aid Policy. They were also able to talk with Counsel already assigned in the Ayyash et al. case, as well as with the Defence Office Liaison Officer to Lebanon. Lastly, they each gave an oral presentation on a legal, procedural or ethical issue in the Tribunal’s Antonio Cassese Courtroom. The entire training course was delivered and interpreted in the Tribunal’s three official languages.

5. Institutional activities of the Defence Office

During the transition period, the Acting Head, and thereafter the Head of Defence Office, represented the Defence Office in its institutional activities. For the purposes of this report, the term “the Head of Defence Office” shall be used hereinafter, including when those activities were performed during the transition period by the Acting Head of Defence Office.
(a) **Participation of the Head of Defence Office in the internal functioning of the Tribunal**

The Head of Defence Office also conveyed the voice of the Defence when she met with members of the Tribunal’s Management Committee, with stakeholders in the UN, as well as in her dealings with embassies based in The Hague, the Netherlands. As such, the Head of Defence Office met members of the Tribunal’s Management Committee and facilitated their meeting with Defence Counsel in the *Ayyash et al.* case during the Committee’s visit to the Tribunal from 12 to 14 June 2018.

(b) **Institutional representation of the Defence outside the Tribunal**

During the course of 2018, the Head of Defence Office met members of the judicial, diplomatic and academic communities, both in The Hague and during her visits elsewhere in order to present the Tribunal’s activities, the work of the Defence Office and the Defence teams, and to promote the rights of the Defence. The Head of Defence Office’s missions were planned and organized in conjunction with the Liaison Officer based in Beirut.

(i) **Missions to Lebanon**

The Head of Defence Office made her first official visit to Lebanon from 22 to 26 October 2018. During that visit, she met the President of the Republic, the Prime Minister and the Minister of Justice. The Head of Defence Office also met members of the diplomatic and academic communities based in Beirut. During that mission, she also met Lebanese lawyers admitted to the list of Defence Counsel. The Head of Defence Office visited Lebanon again from 18 to 22 February 2019.

During these visits, the Head of Defence Office discussed with her interlocutors the role and the rights of the Defence before the Tribunal, in particular during the trial in the *Ayyash et al.* case. She also took the opportunity to recall the role that the Defence Office has played and continues to play as a statutorily independent organ in promoting and protecting the rights of the Defence.

(ii) **Mission to New York**

The Head of Defence Office made her first official visit to New York, United States of America, from 12 to 16 November 2018. The main purpose of this mission was to allow the Head of Defence Office to introduce herself in her new role. During her visit, she met members of the Management Committee and the diplomatic community as well as the Assistant Secretary-General for Legal Affairs of the UN. She also discussed with her interlocutors the role and the rights of the Defence before the Tribunal.

(iii) **Maintaining and developing institutional relations with national bar associations, international lawyers’ associations and other institutions**

The Head, or on the authority of the Head, the Deputy Head of Defence Office continued outreach activities with, or alongside, various national bar associations, international lawyers’ associations and other institutions.

To that end, at the invitation of UNODC and in the presence of the President of the Iraqi Bar Association, the Deputy Head, together with the Acting Head of the Legal Advisory Section and a Defence Counsel in the *Ayyash et al.* case, took part in a seminar for defence lawyers on 23 and 24 September 2018 in Erbil, Iraq. On 11 December 2018, at the invitation of the International Criminal Court Bar Association (“ICCBA” and “ICC”), the Head of Defence Office attended a side
event organized by that Bar Association during the Assembly of States Parties of the ICC in The Hague. In December 2018 and January 2019 she also took part in working meetings with the Office of Public Counsel for the Defence of the ICC (“OPCD”). At the invitation of the President of the ICC, on 18 January 2019 the Head of Defence Office attended the opening ceremony of the judicial year of the ICC. In January 2019, in Berlin, Germany, the Deputy Head of Defence Office attended the annual meeting of the International Criminal Defence Lawyers in Germany (ICDL-Germany), which this year focused on Defence counsel at the international criminal tribunals.

(iv) Participation of the Head of Defence Office in conferences

In February 2019, the Head of Defence Office gave a presentation on the rights of the accused as part of the Inter-University Programme on International Criminal Law and Procedure organized by the Tribunal and the TMC Asser Institute, in collaboration with 11 Lebanese universities.

(v) Presentation of the work of the Defence to groups visiting the Tribunal

During the past year, Defence Office staff gave presentations to groups visiting the Tribunal in the Tribunal’s three official languages, as well as Spanish, on the issues and challenges faced by Defence Counsel practising before the Tribunal, as well as the role of the Defence Office.

(vi) Collaboration with the Islamic University of Lebanon

As a result of the 2017 Memorandum of Understanding between the Islamic University of Lebanon and the Defence Office, a training programme was set up for international law students from that university in order to further their knowledge of the Tribunal and of the Defence Office. As such, members of the Tribunal’s Defence Office, as well as the Registry, gave the students short training sessions on the rights of the Defence, the applicable procedure before the Tribunal, and the role of victims.

(vii) Sixth International Meetings of the Defence (Leidschendam)

The Sixth International Meetings of the Defence were held from 8 to 9 November 2018 at the Tribunal’s headquarters in Leidschendam. This year the Meetings were organized by the Defence Office, with the support of the Association of Defence Counsel practising before the International Courts and Tribunals (ADC-ICT), the International Criminal Court Bar Association (ICCBA), and the Office of Public Counsel for the Defence at the International Criminal Court (OPCD).

The Meetings opened on 8 November with welcome addresses from the President of the Tribunal, the President of the ICCBA, the President of the ADC-ICT, and the Head of Defence Office of the Tribunal. There was also a keynote speech from His Honour Judge Sir Howard Morrison.

The first day included discussions before representatives from the diplomatic community on the contribution of the Defence to international criminal justice and the relationship between the defence and other actors in the field of international criminal justice. There were two roundtable discussions on these topics involving legal practitioners, one chaired by the Ambassador of Canada to the Kingdom of the Netherlands and the other by the Ambassador of Lebanon to the Kingdom of the Netherlands. The former Head of Defence Office of the Tribunal gave the closing speech on this first day.

On the second day, the Meetings continued in the presence of professionals working for the Defence. Following a presentation on the legal tools available to the Defence, two roundtable discussions were given over to the challenges faced by the Defence over the past year before each
of the international criminal jurisdictions. Working sessions in the afternoon focused on matters relating to “detention” and “retrials” with the aim of strengthening defence capacity in those areas.

(c) Involvement in the transition planning process

Defence Office staff continued to participate in the working groups set up as part of the Tribunal’s Transition Planning Process. This process involves the four organs of the Tribunal and the Staff Union. It seeks to draw up a completion strategy for the Tribunal’s activities, thereby enabling it to complete its mandate effectively and professionally.

6. The way forward

Over the course of the coming reporting period, the Defence Office will focus on its primary mission, which is to provide operational and financial support as well as legal assistance to Defence Counsel and the members of their teams in the Ayyash et al. case or in any other potential new cases.

In the Ayyash et al. case, 2019 is expected to be marked by the pronouncement of the judgement by the Trial Chamber. The various Defence Office sections will thus have to anticipate any issues or difficulties that the Defence teams might face with regard, if applicable, to the sentencing and appeal phases and provide them with the assistance required from the deliberation phase onwards in order to address those challenges. During the deliberation phase, the Defence Office will also be required to support the Defence teams in their provisional archiving of the case file.

Over the course of the coming year, the Defence Office will also have to prepare itself for the possible opening of potential new cases and for their consequences in terms of both the budget and the legal and logistical support associated with the arrival of one or more new Defence teams.

Lastly, the Defence Office will organize training sessions for the current and any future Defence teams, and will continue to work on the issues relating to the Tribunal’s transition and the legacy of the Defence Office, in collaboration with the other organs of the Tribunal and/or the members of the Defence teams in the Ayyash et al. case.
D. Registry\(^6\)

1. Introduction

The Registry, under the supervision of the Registrar, is responsible for the administration and servicing of the Tribunal. The Registry provides support to the Chambers, the OTP and the Defence Office in order to facilitate the performance of their functions and to ensure that the Tribunal is in a position to expediently carry out its mandate in the most cost-efficient manner. The majority of the Registry’s operations fall under the Division of Judicial Support Services or the Division of Administration. These Divisions are complemented by the Public Information and Communications Section, the Security and Safety Section, the Immediate Office of the Registrar, the Beirut Office and the New York Liaison Office.

As it has been the case during the previous years, the Registry’s highest overarching responsibility during 2018 remained the effective support to the judicial proceedings. As included in the Registry strategic priorities for this year, the Registry’s work focussed on the implementation of the following goals: providing efficient and customer-oriented administration of the Tribunal; raising awareness of the Tribunal’s work and engaging the public; securing continued political, financial and operational support for its work; ensuring a safe and secure work environment and safeguarding the welfare of staff.

During the reporting year, the Registry continued working in close collaboration with the other three Organs of the Tribunal and the Staff Union, in the development of a transition strategy. Seven working groups continued their work analyzing and proposing recommendations to the four Principals on the following issues: Human Resources, Legacy, Ongoing Obligations, Judicial and Administrative Records, Communication, Facilities and Assets Management.

2. Effective judicial support

The Division of Judicial Support Services delivered efficient, impartial and reliable court management; translation and interpretation language services; assistance to victims participating in the proceedings; and support and protection to witnesses and victims; and independent legal advice. These services, which were facilitated through corresponding Registry Sections, formed the backbone of the Registry’s effective judicial support and highlighted the dynamic operations required to facilitate a complex trial.

(a) Court Management

During 2018, the Court Management Services Section (“CMSS”) supported the proceedings with the processing of 449 filings, corresponding to 13,772 pages of official court documents. CMSS also supported the proceedings with the processing of 397 translations of previously filed official court documents, corresponding to 4,113 pages. It also processed and distributed 87 transcripts in the Tribunal’s three official languages, corresponding to a total of 7,366 pages. In addition to the provision of English real-time transcription, CMSS also initiated the use of French real-time

\(^{6}\) This section has been prepared by the Registrar.
transcription. It further served as the in-court Registry representative during court proceedings by providing a Court Officer and a Courtroom Clerk at each hearing in Leidschendam, as well as a Court Officer when witnesses testified in Beirut.

The CMSS Judicial Cooperation Unit provided support to judicial proceedings and cooperation with regards to implementation of Chambers Orders and Decisions entailing service upon and communication with the Republic of Lebanon and third states. The Translation Requests Control team (“TRC Team”) reviews all incoming translation requests and searches for existing translations which match or are relevant to new translation requests, before forwarding these to the Language Services Section to avoid duplication of work and thereby reduce processing times and costs. CMSS TRC Team processed 1,331 requests for translation, corresponding to a total of 22,012 pages submitted during the reporting period. This resulted in the cancellation of 648 pages. The TRC Team further identified that, out of the 21,364 remaining pages passed on to the LSS for processing, 8,349 pages were previously translated (partial duplication). The detection of these duplicates represents a savings of approximately 1,800 translator working days or EUR 254,583.

CMSS conducted an audit of its procedures and access to the Legal Workflow system improving informational security. In addition, CMSS facilitated improvements to the Legal Workflow system.

(b) Languages services

The Language Services Section (“LSS”) worked to enable multilingual oral and written judicial proceedings through the provision of language services to all Organs in the Tribunal’s three official languages (Arabic, French and English), and other languages as required. This contribution to the Tribunal’s core activities was delivered by staff based both in Leidschendam and the Beirut Office.

During 2018, in-court interpretation services, along with support for field investigations and outreach and public information events, amounted to 393 interpreter days. 11,812 translation pages were delivered by LSS to clients across the Tribunal. Additional services provided by LSS comprised 1,235 days of language assistance, editing and 4,420 minutes of transcription.

During the reporting period, LSS continued to welcome Lebanese translation interns to its Leidschendam office following outreach events held at Lebanese universities. This, in addition to on-site legal translation training events and a curriculum review for a BA Programme in Translation and Interpretation, further strengthened its long standing collaboration with the six Lebanese universities that offer language or translation programmes. In addition, work began on a tri-lingual, (French, Arabic, English) legal terminology database, which will ultimately be made available to the public. Finally, a series of cross-training opportunities were facilitated, within and outside of the Section, in order to promote the sharing of skills across the Registry.

(c) Assistance to victims participating in the proceedings

In 2018, the Victims’ Participation Unit (“VPU”) continued to support to the Victims Participating in the Proceedings (“VPPs”) by facilitating the work of the LRVs. The VPU provided coordination, logistics and technical assistance to the LRVs during trial proceedings throughout the year, including the presence of VPPs and the LRVs during the closing arguments in the Ayyash et al case. The Unit administered the Tribunal’s legal aid policy for victims and continued to respond to numerous requests on various legal aid matters from the LRVs.
The VPU continued to facilitate the attendance of victims to attend sessions of the Ayyash et al. trial in Leidschendam. As a critical milestone in the case, the closing arguments in September provided an important opportunity to bring the trial closer to the VPPs, ensuring the visible presence of those most affected by the attack of 14 February 2005. During said period, the VPU supported the attendance of 21 VPPs and 6 accompanying support persons during the presentation of the closing arguments in the Ayyash et al. case. This involved substantial collaboration with other sections of the Registry, especially the Victims and Witnesses Unit, in order to ensure appropriate facilities and support were in place to meet the needs of visiting VPPs.

In September, the VPU and the Beirut Bar Association co-organized a conference in Beirut on the representation of victims in international criminal proceedings and the role of counsel. The event, organized in collaboration with VPU’s counterparts at the Kosovo Specialist Chambers (“KSC”) and International Criminal Court (“ICC”), brought together over 40 legal practitioners in Lebanon and victims’ counsel from the Tribunal, ICC and Extraordinary Chambers in Courts of Cambodia, to discuss lessons learned and best practices in the representation of victims and opportunities to join the lists of counsel at the ICC, KSC and Tribunal.

The VPU is currently developing a renewed call for counsel to represent VPPs in new cases, should they be forthcoming, as well as strategies toward maximizing participatory rights of VPPs. This will be accompanied by a strategy to identify and invite new victims to apply to participate, should an additional indictment be confirmed in 2019. This strategy includes providing information to victims about their participatory rights and collaborating with the Public Information and Communication Section on appropriate messaging to broader audiences regarding victim participation. More broadly the VPU is developing strategies on the legacy of victims’ representation before the Tribunal, through codification of practices and lessons learned that can inform other mechanisms facilitating the representation of victims.

Finally, and in addition to its core responsibilities relating to the participation of victims in the proceedings, the VPU administered the funds for use by the Amicus Curiae Prosecutor in relation to the ongoing contempt matters, and provided administrative management and support to the Amicus team.

(d) Support and protection to witnesses and victims

The Victims and Witnesses Unit (“VWU”) continued to support the Tribunal’s proceedings by ensuring the secure and timely appearance of victims and witnesses. During 2018, the VWU provided operational, legal, administrative and logistical assistance to facilitate the appearance of 7 witnesses for the Office of the Prosecutor, Defence and the Chamber.

Throughout the year, the VWU maintained the required analytical and risk assessment procedures to identify, assess and mitigate potential threats and risks to victims and witnesses, allowing the VWU to independently review and assess requests and requirements for procedural protective measures introduced in the proceedings by the parties and, if needed, by the VWU proprio motu. The VWU continued to maintain a robust capability to provide protection, support and emergency response services to victims, witnesses and others at risk on account of testimony, or their interaction with the Tribunal, when required.

Additionally, the VWU continued to assess and monitor the physical, emotional and psychological well-being of victims and witnesses before, during and after testimony and provided counselling, psychological support interventions and other support to victims and witnesses when required. Utilizing internal psycho-social expertise the VWU was able to provide tailored support measures to address the specific needs of witnesses and victims.
The VWU continued to work closely with Lebanese interlocutors in the provision of protection support. Similarly the VWU continued to strengthen support and cooperation with States to ensure effective and sustainable witness protection and support arrangements, in the form of relocation agreements and other types of operational assistance, which remain of vital importance for the work of the VWU and the success of the Tribunal.

(e) Registry Legal Office

The Registry Legal Office (“RLO”) continued to support the Registrar’s efficient management and administration of the Tribunal. In this regard, the RLO provided legal advice to the Registrar and other sections within the Registry on areas impacting their work to ensure compliance with the Tribunal’s regulatory instruments, as well as Host State and International Law. The RLO also provided legal advice and recommendations to other Organs of the Tribunal on various matters as requested.

The RLO continued to support the Tribunal’s proceedings through drafting filings on behalf of the Registrar and reviewing filings drafted by other Registry sections.

The RLO played a critical role in facilitating the Tribunal’s interactions with third parties and States, including in relation to requests for assistance, judicial cooperation, and the conclusion of memoranda of understanding with other international organizations.

The RLO provided necessary legal support to numerous sections across the Registry, reviewing leases, contracts with vendors and suppliers of services, and advising on the interpretation of the Staff Rules and Regulations and related administrative issuances. The RLO supported the Registrar in relation to staff related claims and matters, leading to the successful resolution of these claims via both formal and informal means.

3. Efficient administration

The Division of Administration delivered efficient support to all Organs, including: recruitment and human resources management; financial services; preparation, presentation and implementation of the Tribunal’s budget; delivery of procurement services; information management and technological services, facilities management and common services; and other services required for the efficient administration of the Tribunal. These administrative services facilitated the judicial proceedings and ensured that fiscal responsibility was exercised throughout the Tribunal such that operations were undertaken with efficiency and cost-effectiveness.

A significant achievement by the Division during this reporting period was the implementation of a new administrative system which integrates human resources, payroll and budget administration. Benefits are already being realized through improved integration, inbuilt controls, and enhanced reporting—including real-time budget reporting—which will assist the Division in its continued delivery of support to all Organs.

In 2018, measures were taken to improve the Tribunal’s preparation for the completion of mandate. The Office of the Chief of Administration took over the Transition Planning Process and the Human Resources function was separated from the Financial Services function. The newly established Human Resources and Change Management Section incorporates “Change Management” in its title and will cover such matters as downsizing policy, staff retention measures, training and career planning.
(a) **Human resources**

During the reporting period, the Human and Financial Resources Services Section (“HFRS”) underwent a significant realignment to improve the process of transition planning and preparation, becoming the Finance Section (“FIN”) and the Human Resources and Change Management Section (“HRCMS”). HRCMS provided recruitment, human resources management and organisational development services supporting the operational needs of the Tribunal. HRCMS supported all Judges, lawyers, consultants and staff through supporting the Tribunal’s workforce planning process, administering contracts and related benefits and entitlements, coordinating and expanding organisational learning and otherwise assisting the judicial proceedings by facilitating the Tribunal’s personnel. HRCMS also supported the Tribunal’s transition planning process throughout 2018.

By the end of 2018, 398 staff members were employed by the Tribunal, 62 of whom work in the Beirut Office. 61 nationalities are represented at the Tribunal. 67 staff members are Lebanese, representing 16.8% of the total number of staff. The gender distribution is 46% female and 54% male.

In addition, 50 interns participated in the work of the Tribunal during 2018 and efforts continue to increase the interest of Lebanese students to participate in the internship program. Additionally, the new National Junior Professional Program was launched with two National Junior Professionals provided with the opportunity to gain experience in the Beirut Office (Public Information and Communications Section).

(b) **Budget**

The Budget Unit drafted, monitored and accurately reported on the implementation of the Tribunal’s annual budget. These efforts ensured that trial operations continued with the efficient management of Tribunal funds. As in previous years, the 2019 budget is based on high level objectives and parameters set through intensive consultations with the Tribunal’s Principals. Budget-limiting measures focussed on areas that will have the least detrimental effect on anticipated judicial activities. As a result, the Tribunal’s budget for 2019 was approved at EUR 55.1 million, a decrease of 6.2% when compared to 2018.

(c) **Procurement services**

Over the course of the year, the Procurement Section (“PS”) continued to provide strategic advice and operational support to ensure that the Tribunal’s resources were used efficiently and in accordance with the regulatory framework and the best value for money principle. The PS supported operations of the Tribunal by initiating new tender processes, negotiating with vendors and completing various contract renewals and extensions. In this regard, and for certain areas, PS re-tendered and re-negotiated key contracts to reflect the expected reduction in court days for 2019. For other operational areas, PS provided procurement relevant advice, completed processes and contract awards reflecting changes or increases in non-judicial areas of operations, such as training, facility management and information technology requirements, to support next stages of the Tribunal’s operations. In so doing, it worked in close collaboration with all Registry Sections and other Organs to carry out over 800 procurement transactions and monitor and administer over 400 contracts. This volume is one of the highest that the Procurement Section has managed since the Tribunal began.
(d) Facilities management and common services

The General Services Section (“GSS”) is composed of a Common Services Unit and a Facilities Management Unit. During the reporting period, these units provided a diverse range of essential services to the Tribunal which cover movement, logistics, asset management, and the management of the buildings used by the Tribunal involving space planning, leasing and maintenance. The Section also continued to provide efficient services for; local transportation, mail and courier, travel, visa, graphic design and printing.

During the reporting period, significant activities by the GSS included the extension of the leases on both the Leidschendam and Beirut offices to 2021, and the relocation of the New York office. Planned security systems enhancements at the Leidschendam and Beirut premises were completed and a major reconfiguration of the Leidschendam offices was implemented to accommodate the creation of the separate HRCMS and Finance Sections. In order to bring the Tribunal in line with UN practices, the GSS produced a Greening Guideline intended to improve the Tribunal’s environmental performance. It is hoped that this guideline will encourage staff participation and the reviewing of existing processes and procedures with regards to their environmental impact. GSS has hoped to lead the way in this by introducing a stringent plastics and waste paper recycling initiative.

(e) Information management and technological services

During the reporting period, the Information Services Section (“ISS”) supported the proceedings by providing comprehensive information management and information technology support to all Organs. In addition, the ISS continued the streamlining and optimization of the information systems which aim to serve the Tribunal’s needs—in particular those of the trial—for the remainder of the mandate.

The ISS recorded a number of achievements during this reporting period.

The Tribunal’s award winning Legal Workflow System, which allows for the effective administration of judicial information and processes at all stages of a case, was improved according to the changing business needs including 2 new modules, 40 system releases and upgraded server hardware and software. In 2018, 10,067 filings were processed, and at 31 December 2018, the system contained 14,580 pieces of evidence and stored 201,254 documents.

The ISS continued to ensure that the Tribunal’s technology is fit for purpose. It did so by updating, upgrading and replacing aging systems to ensure that critical systems and technology are operational, efficient, secure and cost-effective. In this regard, the ISS supported the improvement of the Tribunal’s administrative systems, including decommissioning of 13 legacy systems which were superseded by the new Administrative system, refreshed the Courtroom Audio Visual systems and further strengthened its cyber-security programme.

During 2018, the Tribunal’s Library, which is an integral unit within ISS, welcomed an average of 277 visitors per month and played a vital role in providing research assistance by processing 3,597 requests and by conducting research trainings. In addition to the print books collection, out of which 2,930 were consulted or loaned, the Library provided access to legal e-books to facilitate research in connection to the judicial proceedings. The Library also expanded its reading room area and implemented a new search engine to improve users experience in finding books and e-resources. The Library continued to make the Tribunal’s jurisprudence available to the public through the Legal Tools Database and maintained relations with other international courts and organizations.
(f) Finance and internal control

The Finance Section continued to provide financial services required to support the operational needs of the Tribunal and submitted the financial statements for the period ending 31 December 2017 which received an unqualified opinion by the External Auditor. As a component of the Administrative Systems Project, the Finance Section implemented a new payroll system which is integrated with HRCMS, to enhance efficiency of payroll transactions and reduce manual entries, thereby reducing the risk of error.

The Tribunal continued to develop best internal control and risk management practices and completed a full inventory of internal control recommendations from internal and external auditors.

4. Engaging the public

The Public Information and Communications Section (“PICS”) proactively engaged with Lebanese, regional and international key external stakeholders to raise awareness and increase understanding of the STL’s ongoing work. It also organized capacity building activities in Beirut, and continued inter-organ discussions on what should constitute the Tribunal’s legacy. The PICS consists of the Outreach and Legacy Unit based in Beirut, and the Public Affairs Unit and Spokesperson based in Leidschendam. The Section operates in the Tribunal’s three official languages (Arabic, English and French).

With many milestones in the Ayyash et al. case taking place over the course of the year—including the end of the Prosecution case, Defence’ submissions for a judgment of acquittal, Defence cases, final trial briefs and closing arguments—court proceedings were covered by Lebanese media on a daily basis. The Spokesperson actively engaged with Lebanese and international media to explain, provide information, answer questions and clarify any misunderstandings with regard to the complex ongoing judicial proceedings in the Ayyash et al. case, as well as other matters such as the partial closure of the STL-14-06 case following the payment of Mr. Al Amin’s fine. In 2018, the Spokesperson conducted 74 interviews, and carried out two missions to Beirut where she met with over 40 Lebanese and regional media representatives.

The public received updates on the Tribunal’s judicial and non-judicial work through press releases, monthly bulletins providing summaries of developments, as well as other Tribunal publications. Video Q&As and other information was also provided through the Tribunal’s social media platforms (Twitter, Facebook, LinkedIn, YouTube and Flickr) and website. Additionally, PICS welcomed 62 group visits to the seat of the Tribunal in Leidschendam, where they were briefed by representatives of Tribunal’s Organs and attended court proceedings.

Over 780 Lebanese Judges, lawyers, NGO representatives, students, academics, officers and others attended outreach and capacity building activities organised by PICS in Beirut and in Tripoli. These included round-tables, lectures, seminars, workshops and trainings. For example, together with the Human Rights Institute of the Beirut Bar Association and the Friedrich Ebert Stiftung, a training for lawyers on the Conduct of International Criminal Proceedings was organised at the Beirut Bar Association and, in collaboration with Lebanese NGO Justice Without Frontiers, at the Tripoli Bar Association. The Tribunal’s flagship outreach program continues to be the Inter-University Program on International Criminal Law and Procedure (“IUP”), which is organised in cooperation with eleven Lebanese universities and the T.M.C. Asser Institute. With no specialization in international criminal law offered at any Lebanese university prior to its launch in 2011, the program is the first of its kind and still unique in the Arab world. Over 700 students have completed the first six sessions. The
seventh edition was launched in October 2018 with 265 students enrolled. Officers from the Lebanese Army and the Internal Security Forces are also attending the course.

In coordination with its IUP partners, PICS also assisted the founding of a Lebanese NGO—the International and Transitional Justice Resource Centre (“ITJRC”), which is assisting with the implementation of the IUP.

The functioning, structure and client friendliness of the Tribunal website improved over the past year. In 2018, the website received over 201,200 visitors and 562,200 page views. An enhanced court record search was successfully launched on the current Tribunal website in April. In addition, the website was moved to a new server which increased website speed by an average of 70%. Continuing this trend, the Tribunal will launch a redesigned website in the spring of 2019 with the aim of significantly improving user experience. This website will also become part of the Tribunal’s legacy after the fulfilment of its mandate.

5. Security and safety

During 2018, The Chief of Security and Safety Section (“C/SSS”) was appointed by the Registrar as the Chief of Detention and assumption of the full role and responsibilities of that position as indicated in the Rules of Detention have been undertaken on an as required basis due to the ad hoc nature of the Tribunal’s Detention operations. The role and responsibility of the Chief of Detention has been undertaken in conjunction with the duties as Chief of Security and Safety. Significant work was undertaken to ensure the Rules of Detention compliance but also to ensure contingencies concerning the STL-14-06 case were in place. The C/SSS along with other Registry colleagues also played a significant role in ensuring that the judgement in the STL-14-06 case was effectively facilitated and appropriately executed.

The Tribunal’s Security and Safety Section (“SSS”) has continued to support the operational functions of all the Organs and has effectively, efficiently and economically, provided all the necessary levels of security and safety for the Tribunal’s Officials, staff members, consultants, facilities, assets and missions. Additionally, SSS has also provided the appropriate levels of security and safety during all court hearings, conferences and seminars at the Tribunal, throughout 2018.

The SSS has created an online modular security awareness programme for all staff, which also includes access to the United Nations Department of Safety and Security (“UNDSS”) training on, information security and travel security courses. Ninety-seven percent of staff have completed the training so far. The SSS also introduced an interactive travel management system (“TMS”) to approve, track and facilitate staff travel and also staffs recall system to account for staff in emergencies.

During the reporting period, the SSS has responded to some 72 incidents as recorded in the Security Incident Reporting System, these incidents range from found property, medical response, burglary of staff residences and fire alarms etc. During 2018, The SSS has delivered 45 personal pre-mission security briefings for staff and officials travelling to Lebanon and an additional six written travel security briefings for other destinations. In total 79 missions to Lebanon were supported by the SSS. The SSS has also provided the necessary security support during 29 court days and has facilitated 51 group visits to the Tribunal comprising of some 1,280 participants. A further 467 visitors observed court proceedings from the Public Gallery. The SSS has also professionally overseen 1,937 other visitors to the Tribunal and has safely processed 2,218 separate mail deliveries. In addition, 21 VIP visits were safely facilitated thorough the support of the SSS.
During the recruitment of staff and consultants the SSS undertook 181 cases of pre-employment security clearances; this process included 37 prima facie cases. In total 178 received clearance. Currently a further 20 cases remain in process.

The SSS has prioritized the security, safety and well-being of staff and assets in compliance with the Security Management Framework, which regulates the strategic direction and governance of security at the Tribunal, the SSS key performance indicators (“KPI”) fully support the ethos of “One Registry” Approach and the SSS mission statement sits firmly alongside those values.

The streamlined staff recall system was exercised successfully to quickly account for staff in an emergency. In addition, successful building evacuation drills were undertaken by staff in both Leidschendam and Beirut.

The threat analysis report continues to be produced every two weeks along with regular security advisories to ensure staff are aware of situations likely to affect their security. The SSS has also ensured that key Tribunal stakeholders are aware of the political and security landscape, so as to ensure that security is written into their plans at an early stage.

At the Beirut Office, the SSS has supported 486 missions; these include support for Prosecution, Chambers and Defence missions as well as for the Registry and Amicus Curiae. In addition, 35 missions of Principal Officials from the Beirut Office were also provided. The SSS has also ensured the safety and security at 3 public events managed by the Tribunal in Beirut and has provided some 50 in-country security briefings.

The challenges during the reporting period were successfully met and objectives were achieved due to the hard work commitment and dedication of the men and women of the security section. The SSS remains focussed on continuous improvement, including cost effective and efficient solutions to ensure the safety and security of personnel and premises. In addition, a Gender and Sensitive Matters Focal Point (“GSMFP”) was established from within existing resources in order to promote the well-being of those who ensure the safety of others. During the reporting period, the GSMFP met individually with staff of the SSS. This initiative has proved a positive influence and a conduit for support and assistance.

In addition to the above, and included in this reporting period, the SSS has also provided the required training for its armed staff both in Beirut and Leidschendam. Ensured the delivery of training on use of force firearms training and qualification for 63 Security Officers, and Control and Restraint training for 37 Security Officers, this training will continue throughout the year. First Aid training and qualification for 65 staff members, these figures include non-security staff, Fire Warden and Fire Safety training for 18 non security staff members and armoured vehicle skills for its drivers at the Beirut Office.

The SSS has delivered on its mandate and continues to ensure the safety and security of the Tribunal its Principal Officials staff and assets.

6. Securing support

Throughout the reporting period, the Registrar continued to implement strategies to secure the political, financial, legal and operational support for the successful completion of the Tribunal’s mandate.
This included maintaining relations with the diplomatic communities in The Hague, Beirut and New York, among other locations. Through the formulation and implementation of a robust fundraising strategy, the Registrar ensured adequate and continued funding for the Tribunal’s activities with the support of the Management Committee.

Since 2009, 29 states have contributed to the Tribunal. This includes Lebanon’s contribution, and voluntary contributions or in-kind support from Australia, Austria, Belgium, Canada, Croatia, the Czech Republic, Denmark, Finland, France, Germany, Hungary, Ireland, Italy, Japan, Luxembourg, Morocco, the Netherlands, New-Zealand, the Russian Federation, Sweden, the Former Yugoslav Republic of Macedonia, Turkey, the United Kingdom, the United States of America, Uruguay and other states. The Tribunal has also received voluntary contributions from the European Union.

The Registry continued to receive on-going financial, operational and judicial support from the Government of Lebanon. Additionally, it enjoyed the continued cooperation and support of the Government of the Netherlands in relation to the Tribunal’s premises, its external security and the issuance of visas and residence permits, in addition to other matters.

The Registry also continued its efforts to engage third-party states to support the judicial proceedings, including the solicitation, negotiation and conclusion of cooperation agreements, including those regarding enforcement of sentencing. The Registry further liaised with third-party states to ensure that legal and operational frameworks were in place to support the proceedings, and assisted in concluding memoranda of understanding with other international organizations.

Further, the Tribunal enjoyed continued cooperation with the international courts and organizations based in The Hague, NGOs and Universities and the Beirut and Tripoli Bar Associations in Lebanon. The support provided included information-sharing sessions; joint training sessions for Registry Sections; collaborative organization of outreach events; technical support; assistance in language services; resource sharing; and inter-library loans. Such mutual assistance contributed to internal cost efficiencies, and, with regard to outreach events, broadening the audiences the STL was able to reach out to.

7. Tribunal premises outside the Netherlands

(a) Beirut Office

At the end of 2018, 62 Tribunal staff members were based in Lebanon. Staff attrition rates are low, but where staff members have departed, they have been replaced to ensure adequate coverage in their respective areas of work. Most notably, a new Chief of Field Security has taken up post in the third quarter of 2018; something that will reinforce the assurance of mission security in field.

Regular missions to Lebanon by Leidschendam-based staff and the Tribunal’s Principals ensured that the Organs and particularly the Registry sections were adequately represented in Lebanon. In total during 2018, the Beirut Office has supported 64 individual missions to Lebanon by the Principals and staff members from Chambers, the Registry, the OTP and the Defence Office, as well as the Amicus Curiae Prosecutor.

Additionally, the Registry in Beirut provided all necessary administrative, logistical and security assistance to the work of resident staff from Chambers, Prosecution, Defence and Registry.

Specific Beirut-based activities in the areas of Outreach, victims’ participation and witness support by VWU continued through the reporting period.
The Beirut Office also continues to support CMSS. In this regard, the technical systems for supporting potential witness testimony from the Beirut Office are maintained *in situ* by BO staff and remotely by staff from Leidschendam.

Increased efforts to reduce costs have been made this year through cooperation with UN agencies in Lebanon; this includes a shared joint medical services agreement which covers both the provision of medical services as needed, as well as the availability of a stress counsellor. The office is also exploring additional cost-sharing initiatives as well as shared training possibilities.

An external relations function remains also an element of the Registry’s work in Beirut—significantly supported by headquarters. The closing of the main case as well as the partial resolution of contempt proceedings in STL 14-06 brought considerable media attention on the Tribunal in Lebanon which necessitated increased contact and engagement with Lebanese political figures, members of the diplomatic community and UN representatives.

(b) New York Liaison Office

In New York, the Liaison Office supported the Management Committee in its consideration of the Tribunal’s financial and administrative matters, including by providing background information and responding to the queries of the Management Committee’s members.

The Liaison Office also regularly updated the Management Committee’s members about the Tribunal’s relevant developments.

The Liaison Office continued to offer political advice to the Registrar and to coordinate fundraising in New York. It also ensured that interested States, UN departments and NGOs were informed of the work and challenges of the Tribunal. Finally, the Liaison Office helped organize visits of representatives from all Organs to New York and Washington DC throughout the reporting period.

8. The way forward

The Registry will continue to function as an integrated support and assistance infrastructure which facilitates the judicial proceedings as a stakeholder-oriented entity. Embodying a “One Registry” principle, all Registry Divisions, Sections, Units and individual staff members will work collectively as one toward the fulfilment of the Registry’s mandate.

The Registry’s highest overarching responsibility will remain the effective support to and servicing of the judicial proceedings. Stemming from this central responsibility, additional priorities will include: the provision of efficient and customer-oriented administration to the Tribunal, obtaining the political, financial, and operational support required for the successful completion of the Tribunal’s mandate, continuing to focus on the development of a strategic plan for the transition phase, engaging the public about its work of the Tribunal, and safeguarding the welfare of the staff and ensuring its safety and security.
The reporting period bore witness to the achievement of a key milestone in the *Ayyash et al.* case, with closing arguments being heard by the Trial Chamber in September 2018. This marked the end of hearings in one of the most complex international criminal trials in history, which has required the Tribunal’s Judges and interlocutors to navigate novel questions of law and procedure and involved the presentation of the evidence of over 300 witnesses and 3,000 documents, including vast quantities of highly-technical communications evidence, of a kind never before seen in international criminal proceedings.

This landmark represents a significant step closer to delivering the Tribunal’s mission to search for the truth behind the 14 February 2005 terrorist attack that killed former Lebanese Prime Minister Rafik Hariri, which resulted in the death of 21 other persons and injured 226 more. The Tribunal has been entrusted with the unique mandate to bring to justice those responsible for that attack.

While the Tribunal is remarkable for its hybrid nature, we are conscious that the Tribunal is first and foremost created for pursuing justice in the service of Lebanon and of its people. Lebanon has been, and remains, the Tribunal’s principal partner, providing not only financial, but also political and logistical support, and consistently cooperating in efforts to ensure the success of our mission.

Our continued focus on delivering upon our core mission during the reporting period has been possible thanks to the cooperation of the Tribunal’s four Organs and all its personnel who have worked relentlessly in court and behind the scenes. As we look forward to the next phases of our work, optimizing our efficacy in carrying out our mandate will continue to be a priority.

Now that the trial hearings in the main case of *Ayyash et al.* are over, the focus for the next reporting period will turn towards judicial deliberations and the preparation of the trial judgment, which all actors in the Tribunal are fully aware that the victims of the 14 February 2005 attack, the Lebanese public and the wider international community are awaiting.

At the same time, we will ready ourselves to make sure any other proceedings that may arise in the next reporting period are handled fairly and expeditiously.

In the context of our finite mandate, through the cooperation of all the Organs, we will continue to focus on bringing to fruition the most efficient plan possible for the Tribunal’s transition following completion of its work, guided by lessons learned from other similar institutions that have come before us. The President will also continue to liaise with the Management Committee to implement several measures to improve the efficiency of the work of the Tribunal.

Considering the progress and achievements accomplished over the Tribunal’s lifespan, it is inevitable that we continue preparing for the Tribunal’s future and legacy. Discussions with stakeholders in and outside of Lebanon will continue so as to ensure the long-lasting impact of the Tribunal on the future of international criminal justice and for the Lebanese people.

On the occasion of the Tribunal’s tenth anniversary, it is clear that the Tribunal has already left its mark and continues to produce valuable lessons for the future. Nonetheless, important work remains ahead of us. We take this opportunity to affirm our commitment to carrying out our mission in accordance with the highest standards of international justice.
Special Tribunal for Lebanon
Geographical Representation of International Staff Recruited at the Professional Level and Higher and in the FS Categories
As of 31 December 2018

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