



**SPECIAL TRIBUNAL FOR LEBANON**

**PRACTICE DIRECTION ON  
FILING OF DOCUMENTS BEFORE THE  
SPECIAL TRIBUNAL FOR LEBANON**

**14 June 2013**

## Table of Contents

Introduction .....	1
Definitions .....	1
Article 1 - Opening and Numbering of Case Files .....	2
Article 2 - Procedure for Filing Documents .....	5
Article 3 - Format of Documents .....	7
Article 4 - Contents of Documents .....	10
Article 5 - Length of documents .....	10
Article 6 - Classification of Documents .....	12
Article 7 - Public Record and Change of Classification .....	13
Article 8 - Procedure for Sensitive Documents or Other Material Under Seal and <i>Ex Parte</i> with Limited Distribution.....	15
Article 9 - Time Limits.....	16
Article 10 - Late Filing.....	17
Article 11 - Deficient Filing.....	17
Article 12 - Filing of a Corrected Version .....	18
Article 13 - Confirmation and Service of Documents Filed.....	18

## **Introduction**

In accordance with Rule 32 (E) of the Rules of Procedure and Evidence of the Special Tribunal for Lebanon (“the Rules”) and the Registrar’s mandate, under Rule 48 (E) of the Rules, to receive, file and distribute case related documents to all intended recipients, I hereby issue this Practice Direction on the filing of documents before the Special Tribunal for Lebanon (“Practice Direction”).

## **Definitions**

In addition to the definitions under Rule 2 of the Rules, the following definitions apply throughout this Practice Direction:

Case: Refers to the proceedings against a suspect or an accused from the moment a request for deferral, an indictment or a connected case submission is filed until a final decision is made with regard to the suspect or accused. A Case also refers to proceedings falling under the Tribunal’s inherent jurisdiction and initiated by a person to whom a Judge or Chamber has granted standing before the Tribunal;

Case File: File containing all documents pertaining to a specific Case which have been filed by the Registry;

Correspondence File: File containing all case related correspondence not submitted for filing;

Filing: All documents submitted by a Participant to the Registry for processing in a Case, including briefs, motions, applications, requests or any other written pleading, correspondence, and Registry submissions pursuant to Rule 48 (B), as well as decisions and orders issued by a Judge or Chamber;

Legal Workflow: The Tribunal’s integrated electronic system for the management of the judicial process, including the process of submitting and filing case-related documents;

Participant: A Party, a victim participating in the proceedings or a victim’s legal representative, the Head of Defence Office, the Victims’ Participation Unit, *amicus curiae*, a State or its representative, or any other entity or person who has standing to submit a document for filing.

## Article 1

### Opening and Numbering of Case Files

1. The Registry, Court Management Services Section (“CMSS”), shall open a new Case File upon its receipt of:
  - (a) A request for deferral under Rules 17 or 19 of the Rules;
  - (b) An indictment for confirmation under Rule 68 (B) of the Rules;
  - (c) A Connected Case Submission pursuant to Rule 11 of the Rules;
  - (d) An indictment in relation to a Connected Case under Rule 68 (C) of the Rules;
  - (e) An indictment submitted or, in lieu of an indictment, an Order issued under Rule 60*bis* (Contempt and Obstruction of Justice) or Rule 152 (False Testimony) of the Rules;
  - (f) A decision of a Judge or Chamber to grant standing to a person before the Tribunal in a matter falling under the Tribunal’s inherent jurisdiction;
  - (g) A decision of the Trial or Appeals Chamber to order a retrial pursuant to Rules 108 and 109.
2. One Case File shall be opened and maintained per Case, regardless of the number of accused that are joined under that case. If a Judge or Chamber decides that there should be separate trials for the accused, the CMSS shall sever the initial Case File and assign new Case numbers to the individual cases.
3. A Case File may include several separate folders. Successive folders shall be numbered sequentially.
4. Each Case shall be assigned an Extended Case Number composed of the following elements:
  - (a) The Core Case Number (e.g., **STL-11-01**), which shall be composed of:  
  
STL – Special Tribunal for Lebanon;  
11 – The Calendar year the Case File was opened;  
01 – Sequential number of the case.

(b) The stage of the proceedings (e.g., STL-11-01/PT),<sup>1</sup> which shall be composed of the Core Case Number and the stage of the proceedings. Appropriate abbreviations for the stage of the proceedings are as follows:

- D       Deferral: From the filing of a request for deferral pursuant to Rule 17 or Rule 19 of the Rules to the decision on the request;
- CCS     Connected Case Submission: From the filing of a Connected Case Submission pursuant to Rule 11 of the Rules until the filing of an indictment pursuant to Rule 68 (C) of the Rules;
- I        Indictment: From the filing of the indictment pursuant to Rule 68 of the Rules until the moment the accused enters a plea, or a Judge or Chamber decides to enter a plea on behalf of the accused, in accordance with Rule 98 of the Rules, or until the Trial Chamber's decision to conduct the proceedings *in absentia* pursuant to Rule 106 of the Rules;
- PD      Transfer and Provisional Detention of Suspects: From an application pursuant to Rule 63 (A) of the Rules until the release of the suspect pursuant to Rule 63 (D) or the confirmation of an indictment and the issuance of a warrant of arrest, whichever occurs first;
- PT      Pre-Trial: From the day a plea in accordance with Rule 98 of the Rules has been entered<sup>2</sup> or a decision to conduct the proceedings *in absentia* pursuant to Rule 106 of the Rules has been taken until the day of the first trial hearing;
- T        Trial: From the first trial hearing until the trial judgment pursuant to Rule 168 of the Rules;
- S        Sentencing: From a Trial Chamber's finding of guilt or an accused's guilty plea until sentence is pronounced pursuant to Rule 171 of the Rules;
- A        Appeal Proceedings: From the first notice of appeal pursuant to Rule 177 of the Rules until the judgment on appeal pursuant to Rule 188 of the Rules;

---

<sup>1</sup> Case Files opened under Article 1(1)(f) of this Practice Direction do not include a stage of proceedings, unless an appeal is filed.

<sup>2</sup> Where there are multiple accused, a document concerning any accused who has not yet entered a plea or for whom a plea has not yet been entered in accordance with Rule 98 is filed under the letter "I", whereas the documents concerning those accused who have entered a plea or on whose behalf a plea was entered are marked "PT".

- ES Enforcement of Sentence: For proceedings involving the enforcement of a sentence as of the date the sentence is pronounced pursuant to Rule 171 of the Rules until the completion of the sentence;
- Bis*-PT Preliminary Proceedings on Retrial: For post-appeal trials following a decision of the Appeals Chamber pursuant to Rule 188 (C) of the Rules from the first document on the Case File regarding the retrial until the first hearing in retrial;
- Bis*-T Retrial: For post-appeal trials following a decision of the Appeals Chamber pursuant to Rule 188 (C) of the Rules from the first hearing in retrial until the judgment;
- R Review Proceedings: From a motion for review pursuant to Rule 190 of the Rules until a decision or a further judgment pursuant to Rule 190 of the Rules;
- Misc Miscellaneous: For filings not directly related to a Case.

(c) The Judge, Chamber or other authority before whom/which the document is filed or the Judge, Chamber or other authority who/which is seized: (e.g., STL/11-01/I/AC). The following initials shall be used to refer to the Judge, Chamber or other authority:

- PTJ Pre-Trial Judge
- TC Trial Chamber
- AC Appeals Chamber
- CJ Contempt Judge
- AP Appeals Panel
- PRES President
- SJ Single Judge
- OTH Other
- REG Registrar
- HDO Head of Defence Office

(d) When applicable and following consultation between the CMSS and the relevant Judge or Chamber, a reference to the relevant Rule(s) (e.g., STL-11-01/I/AC/R176bis). Should several appeals (marked as ‘A’) in reference to the same Rule be filed, a number indicating the chronological order of the appeal shall be added (e.g., AR90.1).

5. Documents that do not relate to an existing Case File or do not prompt the opening of a new Case File in accordance with Article 1(1) above shall be filed in a miscellaneous file. One miscellaneous file shall be opened per year and may be divided by subject.
6. A correspondence file shall be opened per case and maintained by the CMSS. The correspondence shall not be open to the public but shall be accessible to Participants upon written request to the CMSS. The CMSS shall consult with the relevant Judge or Chamber and with the author of the correspondence as to whether access may be provided. The CMSS may provide such access only upon the instruction of the Judge or Chamber.

## **Article 2**

### **Procedure for Filing Documents**

1. Documents that require filing before the Tribunal shall be sent to the Registry, CMSS.
2. A Judge, Chamber or Participant with access to Legal Workflow shall submit documents for filing through this system, unless there are specific circumstances which make it impossible or place an unreasonable burden on the Judge, Chamber or Participant. The procedures set out in the Legal Workflow User Guide: Electronic Filing (LW Guide), issued by the CMSS shall be followed.<sup>3</sup>
3. A Judge, Chamber or Participant without access to or temporarily prevented from using Legal Workflow shall submit documents for filing in person, by post, facsimile or electronic means. Documents submitted for filing in person, by post or facsimile, shall be scanned and uploaded into Legal Workflow by the CMSS after which the electronic versions of such documents shall be considered the official document submitted for filing. The hard copy is archived.
4. If submitted electronically outside Legal Workflow, documents shall be submitted to the following email address: **stl-courtfilings@un.org**. If filed in person, by post or facsimile, documents shall be sent or delivered to the CMSS at:

---

<sup>3</sup> Available on the STL website at <http://www.stl-tsl.org/en/documents/practice-directions>.

Court Management Services Section

Dokter van der Stamstaat 1

2265 BC Leidschendam

The Netherlands

Fax: Submitter to call: +31(0)70 800 3919 or 3896 for instructions

5. The date and time a document is received by the CMSS are automatically registered by Legal Workflow. If a document is submitted outside Legal Workflow, this information shall be manually recorded by the CMSS.
6. The business hours of the CMSS are from 9:00 a.m. to 4:00 p.m. Central European Time, Monday to Friday. The CMSS is not open during official Tribunal holidays. These holidays are published on the Tribunal's website.<sup>4</sup> Access to Legal Workflow for the purposes of submitting documents for filing electronically is however available 24 hours per day, 7 days a week.
7. Documents received by the CMSS during business hours shall be processed and distributed on that same day. Documents submitted after business hours shall be processed and distributed on the next business day.
8. In exceptional circumstances a Judge or Chamber, at the request of a Participant or *proprio motu*, may instruct the CMSS to process and distribute a document which was submitted after business hours on the day it was submitted.
9. Documents subject to a deadline pursuant to the Rules or a Practice Direction, or deriving from orders or decisions by a Judge or Chamber, shall be considered filed within the deadline when submitted to the CMSS before 12:00 midnight Central European Time.
10. Where a document submitted for filing requires urgent measures to be taken, the Participant submitting the document shall select the "Urgent action required" check-box in Legal Workflow and clearly indicate the basis for this urgency in the "Reason for urgency" box or, if

---

<sup>4</sup> Available at <http://www.stl-tsl.org/en/about-the-stl/visiting-the-stl/official-holidays>.



submitted outside Legal Workflow, on the Filing Instruction Form (Annex A). If requested by the Participant, and, if necessary, after consultation with the relevant Judge or Chamber, the CMSS shall process and distribute the document on an expedited basis.

11. A document may be filed in more than one Case File, either initially or at a later stage.
12. Requests for the translation of official court filings shall be made by the CMSS to the Tribunal's Language Services Section (LSS), through Legal Workflow. Completed translations shall be submitted by the LSS to the CMSS through Legal Workflow. The CMSS shall group the translation in Legal Workflow together with the original filing.

### **Article 3**

#### **Format of Documents**

1. Documents shall be submitted in one of the working languages of the Tribunal, subject to the provisions of Rule 10 of the Rules.
2. Documents submitted for filing through Legal Workflow shall be in Microsoft Word format or otherwise conform with the format and file size requirements described in Annex A of the Protocol for the Upload of Electronically Stored Information as Evidence.<sup>5</sup>
3. Documents submitted for filing outside Legal Workflow shall be in the relevant format set out in paragraph 2 and shall be accompanied by a Filing Instruction Form (Annex A).
4. Where a document is not submitted in Microsoft Word format for exceptional reasons, the Microsoft Word version of the document, if available, shall be sent to the STL Court Filings inbox.<sup>6</sup>

---

<sup>5</sup> Available on the STL website at <http://www.stl-tsl.org/en/documents/practice-directions>.

<sup>6</sup> STL-courtfilings@un.org.

5. Documents submitted for filing shall include the following information on the cover page in the format set out in Annex B<sup>7</sup>:
- (a) The Judge before whom or Chamber or authority before which the filing is made;
  - (b) The Extended Case Number;<sup>8</sup>
  - (c) The Case Name;
  - (d) The date of the filing;
  - (e) Short Title: If submitting in English, the first letter of the first word of the title and the first letter of all other words except articles, conjunctions and prepositions shall be in capital letters (*e.g.*, Rquest for the Pre-Trial Judge to Authorize Proposed Redactions...) If submitting in French, the first letter of the title shall be in capital letters (*e.g.*, Observations relatives à l'application...)
  - (f) Titles of Orders, Decisions, Judgments all in capital letters;
  - (g) Instructions regarding the classification of the document, *i.e.* “Public”, “Confidential”, “Confidential and *Ex Parte*” or “Under Seal and *Ex Parte* with Limited Distribution”, as defined in Articles 6 and 8 of this Practice Direction;
  - (h) The Participant (including reference to the organ or team he/she belongs to) who is submitting the document; and
  - (i) The Participant(s) (including reference to the organ or team he/she belongs to) to whom the document shall be distributed.
6. No logo or stamp that is used solely for judicial documents should appear on the filing of Participants.
7. Each page of the document, other than the cover page, shall contain the following information in the footer:
- (a) The date of the document in the bottom right-hand corner;
  - (b) The page number and total number of pages of the document (*i.e.* 1 of 15) in the bottom centre;

---

<sup>7</sup> The same applies to the cover page(s) of any Annex(es).

<sup>8</sup> See Article 1(4) above. Participants are advised to contact CMSS to verify that they have the correct Extended Case Number.

- (c) The Case Number in the bottom left-hand corner.
8. The top right- and left-hand corner of each page of every document submitted for filing shall be left clear for the insertion of an electronic number and the document classification.
  9. The document submitted for filing shall include its word count, calculated in accordance with Article 5(2) of this Practice Direction, at the bottom of the last page.
  10. Documents submitted for filing shall be typewritten and printed on one side of the paper only. Documents submitted outside Legal Workflow shall be unbound and must not contain, *inter alia*, dividers, flags or staples.
  11. The margins shall be at least 2.5 centimetres on all four sides. Paragraphs shall be numbered. Documents submitted for filing outside Legal Workflow shall be on A4 sized paper.
  12. The typeface in English and French shall be in Times New Roman font, 12 point, with 1.5 line spacing. Footnotes shall be in Times New Roman font, 10 point. The typeface in Arabic shall be in Traditional Arabic font, 14 point, with 1.5 line spacing. Footnotes shall be in Traditional Arabic font, 10 point.
  13. The submission of handwritten documents is permitted only after authorisation from a Judge or Chamber.
  14. Photographs and audio-video clips shall be submitted in accordance with the format and file size requirements described in Annex A of the Protocol for the Upload of Electronically Stored Information as Evidence.<sup>9</sup>
  15. Documents submitted for filing shall bear an electronic, digital or “wet” signature with a clear indication of the name and title of the person who signed it and the signature date.
  16. The Participants are encouraged to follow the Style & Citation Guide for Chambers.<sup>10</sup>

---

<sup>9</sup> Available on the STL website at <http://www.stl-tsl.org/en/documents/practice-directions>.

<sup>10</sup> Available on the STL website at <http://www.stl-tsl.org/en/documents/practice-directions>.

## **Article 4**

### **Contents of Documents**

1. Documents submitted for filing before a Judge or Chamber shall contain the following information, where appropriate and unless otherwise directed:
  - (a) An introduction containing the legal basis for the filing and a summary of the relief sought;
  - (b) A summary of the main arguments made;
  - (c) An outline of relevant facts, including a chronology, where appropriate;
  - (d) A summary of the relevant law;
  - (e) The Participant's arguments;
  - (f) A conclusion with a clear statement of the relief sought; and
  - (g) An appendix containing a list of authorities and copies of those authorities if not widely and publicly available through, for example, the Tribunal's website, government websites, or widely used electronic databases.
2. Any reference to a previously filed document shall include the Name of the Tribunal, the Case name, the Extended Case Number, the Title, the Date, and the Paragraph referenced where applicable.<sup>11</sup>
3. Reference to Tribunal staff members is made by using their functional titles. Personal information relating to staff members shall not be publicly disclosed, including but not limited to names, telephone numbers and addresses.

## **Article 5**

### **Length of documents**

1. Documents submitted for filing shall not exceed the following word limits:
  - (a) All motions and any responses thereto shall each not exceed 6,000 words. Any reply to such response shall not exceed 2,000 words.

---

<sup>11</sup> E.g.: STL, *Prosecutor v. Ayyash et al.*, STL-11-01/I/TC, Decision to Hold Trial *In Absentia*, 1 February 2012, para.1.

- (b) All preliminary motions and any responses thereto shall each not exceed 10,000 words. Any reply to such response shall not exceed 3,000 words.
- (c) A Connected Case Submission shall not exceed 9,000 words.
- (d) A request for deferral shall not exceed 6,000 words.
- (e) A request for confirmation of an indictment shall not exceed 9,000 words.
- (f) A Pre-Trial Brief shall not exceed 21,000 words.
- (g) A Final Trial Brief shall not exceed 30,000 words.
- (h) Appeals against Judgments shall be subject to the following limits:
  - i. A Notice of Appeal shall not exceed 3,000 words (2,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152).
  - ii. The Appellant's Brief shall not exceed 30,000 words (12,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152). Where the Prosecutor, as Appellant, files a consolidated brief in respect to more than one Accused, a further 9,000 words may be filed in respect of each additional Accused (6,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152).
  - iii. The Respondent's Brief shall not exceed 30,000 words (12,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152). Where the Prosecutor, as Respondent, files a consolidated brief in respect to more than one Accused, a further 9,000 words may be filed in respect to each additional Accused (6,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152).
  - iv. The Brief in Reply shall not exceed 9,000 words (4,000 words where the appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152). Where the Prosecutor, as Appellant, files a consolidated brief in respect to more than one Accused, a further 3,000 words may be filed in respect of each additional Accused (1,500 words where the

appeal is limited to sentencing or where the appeal is against a judgment under Rules 60*bis*, 135 or 152)

- (i) All other appeals against decisions of a Judge or Chamber shall be subject to the following limits:
- i. A request for certification to appeal, if required by the Rules, and any response thereto shall each not exceed 3,000 words. Any reply to such response shall not exceed 1,000 words.
  - ii. Any appeal brief and any response thereto shall each not exceed 6,000 words. Any reply to such response shall not exceed 2,000 words.
2. Headings, footnotes and quotations count towards the word limits set out in the present Article. Cover pages, tables of contents and signatures do not count towards the set limits. Any appendices, lists of authorities or copies of authorities do not count towards the set limits.
3. A party must seek authorisation in advance from the relevant Judge or Chamber to exceed the word limits in this Practice Direction and must provide an explanation of the exceptional circumstances that necessitate the oversized filing. If necessary, a Judge or Chamber may vary the word limits *proprio motu*.

## **Article 6**

### **Classification of Documents**

1. Participants are responsible for identifying documents with one of the following classification:
  - (a) Public: accessible to all in electronic format and/or hard copy, and available to the public;
  - (b) Confidential: accessible in electronic format and/or hard copy, and not to be disclosed to the public;
  - (c) Confidential and *Ex Parte*: accessible in electronic format and/or hard copy to the relevant Judge or Chamber, the Registrar and any other Participant as indicated by the Participant who submitted the document; or

- (d) Under Seal and *Ex Parte* with Limited Distribution: accessible in hard copy to the relevant Judge, the President and the Registrar, in accordance with the procedure set out in Article 8 of this Practice Direction.

Subject to Article 7 (5) (d) of this Practice Direction, where a document bears one of the classifications under paragraph (1) (b)-(d), all related documents (responses, replies, etc) shall bear the same marking, unless otherwise authorised by a Judge or Chamber.

2. Where a Participant files a document as Confidential, Confidential and *Ex Parte* or Under Seal and *Ex Parte* with Limited Distribution, he/she shall indicate, in the document, the factual and legal basis for the chosen classification.
3. In the case of *ex parte* documents, the Participant submitting the document shall clearly identify to which other Participant the document shall be distributed to.
4. Where a State or other external entity submits a document for filing without any indication as to the classification of the document, the CMSS shall contact the submitter to confirm the appropriate classification. When this confirmation cannot be obtained in a reasonable time, the CMSS shall process and distribute the document with a confidential classification pending resolution, unless otherwise instructed by the relevant Judge or Chamber.
5. Paragraphs 1 and 3 shall apply *mutatis mutandis* to a Judge or Chamber submitting documents for filing.

## **Article 7**

### **Public Record and Change of Classification**

1. Documents filed on the Case File are deemed public records unless they are protected from disclosure by the Statute, the Rules, an order or a decision by a Judge or Chamber, in which case the appropriate classification must be indicated, as per Article 6.
2. Public documents may be used in press releases and published on the Tribunal's website. Where the CMSS has concerns whether a particular document submitted as public should be publicly disclosed, the CMSS may temporarily delay public access of the document. The

CMSS shall bring the matter to the attention of the Participant and the Judge or Chamber, as appropriate.

3. Where a document has been filed confidentially, a public redacted version shall be filed by the Participant who submitted the confidential version as soon as possible. Exceptions require authorisation from the Judge or Chamber. The Participant may seek such authorisation when specifying the factual and legal basis of the chosen classification, pursuant to Article 6 (2) above.
4. The Participant shall ensure that all confidential information is removed from the public redacted version of the document and replaced with the word “REDACTED” in square brackets. Redaction may also be performed in an alternative manner, as advised by the CMSS.
5. A Participant who submitted a document for filing may later change its classification in the following manner:
  - a. Where the classification of the document changes from Public to Confidential or to Confidential and *Ex Parte*, the Participant shall submit a public notice for filing.
  - b. Where the classification of the document changes from Confidential to Confidential and *Ex Parte* or vice versa, the Participant shall submit a confidential notice for filing.
  - c. The Participant shall indicate, in the notice, the factual and legal basis for the re-classification, or, in case of a public notice, in a confidential or confidential and *ex parte* annex attached to the notice if such information is confidential or confidential and *ex parte*.
  - d. The notice shall not affect the classification of any other related document.
  - e. The re-classification of a document from Confidential or Confidential and *Ex Parte* to Public shall be implemented only further to an order or a decision by the Judge or Chamber seized of the matter to which the document relates.
6. A Judge or Chamber may change, *proprio motu* or upon request of a Participant, the classification of a document by an order or decision. In either instance, the Judge or Chamber



may seek the views of the Participant who submitted the document prior to issuing its order or decision.

7. Upon the filing of the order, decision or notice, the CMSS shall change the classification of the previously filed document accordingly and indicate in the header of the document the basis for the change in classification.
8. Where the classification of a document filed publicly is changed to confidential, the CMSS shall withdraw that document from the Tribunal's website. The CMSS will also place a notice on the website indicating that the document has been reclassified as confidential, if appropriate.

## **Article 8**

### **Procedure for Sensitive Documents or Other Material Under Seal and *Ex Parte* with Limited Distribution**

1. The term "sensitive document" is intended to include all documents that may be submitted for filing whose highly sensitive nature requires that it be filed in the court record under seal and *ex parte* with limited distribution.
2. The distribution of a sensitive document submitted by a Participant is limited to the relevant Judge or Chamber, the President and the Registrar only, unless otherwise instructed by the Participant. No additional duplicate copies of the filing or of its translations shall be produced.
3. A sensitive document shall be submitted electronically for filing through secure means.<sup>12</sup> The CMSS shall distribute the document in hard copy under seal. The document shall not be uploaded to the Legal Workflow system; only metadata shall be registered in the system. This metadata shall be accessible only to the CMSS and the relevant Judge or Chamber. The filed electronic version shall be saved in a secure environment accessible to the CMSS only.
4. The Judge or Chamber may accept a document filed with the classification Under Seal and *Ex Parte* with Limited Distribution if satisfied that the proposed filing contains information which, if disclosed, would pose an exceptionally serious risk to the integrity of the investigation or the

---

<sup>12</sup> E.g., any electronic secure means such as USB device or CD-ROM.

life of a person or persons and that there exists an overriding interest that justifies divergence from the standard filing procedures. Upon instruction from a Judge or Chamber, the CMSS shall inform the Participants of the filing of such documents.

5. In the event that the Judge or Chamber is not satisfied that there are exceptional circumstances as set out in paragraph 4 above justifying a classification of under seal and *ex parte* with limited distribution, the Judge or Chamber shall reject the document. Following such order or decision, the Participant who submitted the document for filing may submit it with a different classification.
6. Any decision or order made by the Judge or Chamber that stems from the original filing shall be treated in the same manner as set out above.
7. The Judge or Chamber, *proprio motu* or at the request of the Participant who submitted the document, may decide that the disclosure of the document would no longer cause an exceptionally serious risk to the integrity of the investigation or to the life of a person or persons. After hearing the views of the Participant who submitted the document, the Judge or Chamber shall reclassify the document and instruct the Registrar to link the document in the Legal Workflow system.

## **Article 9**

### **Time Limits**

1. All documents shall be submitted for filing with the CMSS in accordance with the time limits provided for in the Rules or any Practice Direction or prescribed by an order or decision issued by a Judge or Chamber, subject to the right to request a variation of the time limits pursuant to Rule 9 of the Rules.
2. Where the Rules or relevant Practice Direction do not provide for a specific time limit for a response to a filing, or for a reply, if any, the time limits set out in Rule 8 of the Rules shall apply.

3. In accordance with Rule 7 of the Rules, time limits shall begin to run from the first working day after the distribution of a document, decision or order. All calendar days shall be considered in the calculation of the time limit.

## **Article 10**

### **Late Filing**

1. The CMSS shall process documents which have been or appear to have been submitted outside the time limits under Article 9 of this Practice Direction.<sup>13</sup> However, the CMSS shall inform the relevant Judge or Chamber of the matter.
2. The Judge or Chamber shall determine whether a filing is timely as well as what consequences, if any, shall ensue from a late filing.

## **Article 11**

### **Deficient Filing**

1. Subject to the provisions of Article 10 of this Practice Direction, the CMSS shall verify the conformity of documents submitted for filing with respect to Article 3 of this Practice Direction only.
2. Should a document fail to comply with Article 3 of this Practice Direction, the CMSS shall inform the submitter who shall submit a revised version as soon as possible.
3. If the revised version is received outside a time limit, the CMSS shall proceed in accordance with Article 10 (1) of this Practice Direction and register in Legal Workflow the date and time the revised version was submitted to the CMSS.

---

<sup>13</sup> Documents submitted for filing by an *amicus curiae* shall be processed in accordance with the Practice Direction on *Amicus Curiae* Submissions before the Special Tribunal for Lebanon STL/PD/2012/05

## **Article 12**

### **Filing of a Corrected Version**

A Participant may submit a corrected version of a document already filed. The cover page shall indicate that it is a “corrected version”. A corrigendum indicating the changes that were made to the original version shall be submitted for filing at the same time as the corrected version.

## **Article 13**

### **Confirmation and Service of Documents Filed**

1. A Participant who has submitted a document within or outside Legal Workflow will be notified, via an email notification, of the filing of the document at the time of its distribution.
2. Recipients of filed documents shall be notified electronically and be provided with an electronic copy of the document. Recipients who do not have access to Legal Workflow shall notify the CMSS of the preferred email address for service of filed documents. The CMSS may limit the distribution of confidential filings by email due to information security concerns. The Registrar may provide a secure email address to a recipient/participant, where necessary.
3. The CMSS may require recipients of filed documents outside Legal Workflow to acknowledge receipt of the document.
4. The CMSS shall retain and, if required by a Judge or Chamber, produce proof that the above notification was sent to and received by a recipient.
5. The following documents shall be served in person:
  - (a) A warrant of arrest;
  - (b) A summons to appear;
  - (c) Subject to Rule 76 (E), an indictment; and
  - (d) Other such documents, decisions or orders issued by a Judge or Chamber to be notified by way of personal service.

6. Documents submitted and filed in hard copy, where necessary, shall be effected on the same day as the electronic distribution by the CMSS. A memorandum of service shall be appended to the filing and shall be completed by the serving authority. The completed memorandum of service shall be filed on the record.

Leidschendam, 14 June 2013

*(Signed)*

---

David Baragwanath  
President