

**BEFORE THE APPEALS CHAMBER**

Case No.: STL-11-01/PT/AC/R176bis

Before: Judge Sir David Baragwanath, Presiding
Judge Ralph Riachy
Judge Afif Chamseddine
Judge Daniel David Ntanda Nsereko
Judge Kjell Erik Björnberg

Registrar: Mr Herman von Hebel

Date: 3 April 2012

Original language: English

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THE PROSECUTOR

v.

**SALIM JAMIL AYYASH
MUSTAFA AMINE BADREDDINE
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA**

**INTERIM ORDER ON “THE JOINT DEFENCE REQUEST FOR AN ORDER ON
THE TIME-LIMIT TO FILE RULE 176BIS(C) RECONSIDERATION REQUEST”**

Prosecutor:
Mr Norman Farrell

Counsel for Mr Salim Jamil Ayyash:
Mr Eugene O’Sullivan
Mr Emile Aoun

Head of Defence Office:
Mr François Roux

Counsel for Mr Mustafa Amine Badreddine:
Mr Antoine Korkomaz
Mr John Jones

Counsel for Mr Hussein Hassan Oneissi:
Mr Vincent Courcelle-Labrousse
Mr Yasser Hassan

Counsel for Mr Assad Hassan Sabra:
Mr David Young
Mr Guénaél Mettraux





THE APPEALS CHAMBER of the Special Tribunal for Lebanon;

BEING SEIZED of the “Joint Defence Request for an Order on the Time-Limit to File Rule 176bis(C) Reconsideration Request” submitted by Defence counsel for the four accused in the *Ayyash et al.* proceedings on 30 March 2012 (“Request”);

NOTING that under Rule 176 *bis*(C) of the Rules of Procedure and Evidence (“Rules”), an “accused has the right to request the reconsideration of the interlocutory decision under paragraph A [...]” and that such a request “shall be submitted to the Appeals Chamber no later than thirty days after disclosure by the Prosecutor to the Defence of all material and statements referred to in Rule 110(A)(i)”;

NOTING that the Defence seeks an order from the Appeals Chamber “that the time limit prescribed by Rule 176 *bis*(C) shall not run until there has been a final Judicial Decision on whether ‘all material and statements referred to in Rule 110(A)(i)’ have been disclosed,” or, in the alternative, that the Appeals Chamber “grant an enlargement of 60 days on the time-limit set by Rule 176 *bis*(C)”;¹

NOTING the Defence argument that its Request should be “resolved in an expedited manner”,² and that the Appeals Chamber should “[i]ssue an Order reducing the usual time-limits for a Prosecution Response to this Request”;³

CONSIDERING that pursuant to Rules 7 and 8 of the Rules any response of the Prosecutor to the Request is due on 23 April 2012, and that the Defence shows no “good cause” to reduce that time as required by Rule 9(A)(i) of the Rules;

¹ Request, para. 11.

² *Id.* at para. 10.

³ *Id.* at para. 11.



PURSUANT to Rule 9 of the Rules;

REJECTS the Defence's request for reducing the time limits for the Prosecutor's response.

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

Filed this 3rd day of April 2012,
Leidschendam, the Netherlands

David Baragwanath
Presiding

