



THE PRE-TRIAL JUDGE

Case No.: **STL-11-01/PT/PTJ**

The Pre-Trial Judge: **Judge Daniel Fransen**

The Registrar: **Mr Herman von Hebel**

Date: **27 August 2012**

Original language: **English**

Classification: **Confidential and *ex parte***

THE PROSECUTOR
v.
SALIM JAMIL AYYASH
MUSTAFA AMINE BADREDDINE
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA

**ORDER GRANTING THE DUTY LEGAL REPRESENTATIVE'S REQUEST FOR
LEAVE TO REPLY TO THE REGISTRAR'S SUBMISSIONS**

Duty Legal Representative for V027 and V028
Mr Christopher Gosnell

Office of the Registrar
Mr Herman von Hebel



1. By way of this Order, the Pre-Trial Judge decides on the Duty Legal Representative's request for leave to file a reply (the "Request for Leave")¹ to the Registrar's Submissions in response to the Motion for Review of the Registrar's Designation of the Lead Legal Representative of Victims Participating in the Proceedings (the "Submissions").²
2. On 13 August 2012, the Duty Legal Representative for Victims V027 and V028 filed a Motion for Review of the Registrar's Designation of the Lead Legal Representative (the "Motion for Review").³
3. On 15 August 2012, the Pre-Trial Judge notified the Registrar of the Motion for Review and invited him to respond thereto.⁴ Subsequently, the Registrar filed the Submissions on 21 August 2012.
4. Pursuant to Rule 8 of the Rules of Procedure and Evidence (the "Rules"), the Duty Legal Representative filed the Request for Leave to reply to the Registrar's Submissions on 24 August 2012. He avers that the Submissions make "certain assertions of law and fact that warrant specific refutation," and that it would therefore be in the interest of justice that he be allowed to file a reply.⁵
5. The Pre-Trial Judge notes that this matter concerns *inter alia* the standard of review of an administrative decision of the Registrar designating a victim's legal representative. The review of an administrative decision of the Registrar in general, and of his designation of a victim's legal representative in particular, is without precedent before this Tribunal. The Pre-Trial Judge therefore considers that the arguments put forward by the parties should be briefed in full. Being mindful of the exceptional circumstances of the current case, the Pre-Trial Judge grants the Duty Legal Representative to file his reply to the Registrar's Submissions of 21 August 2012.

¹ STL, *Prosecutor v Ayyash et al*, Case No. STL-11-01/PT/PTJ, Request for Leave to Reply to Registrar's Submissions, 24 August 2012 (Confidential and *Ex Parte*)

² STL, *Prosecutor v Ayyash et al*, Case No. STL-11-01/PT/PTJ, Registrar's Submissions in Response to the Duty Legal Representative's Motion for Review of Designation, 21 August 2012 (Confidential and *Ex Parte*).

³ STL, *Prosecutor v Ayyash et al*, Case No. STL-11-01/PT/PTJ, Motion for Review of Registrar's Designation of Lead Legal Representative for Victims, 13 August 2012 (Confidential and *Ex Parte*).

⁴ STL, *Prosecutor v Ayyash et al*, Case No. STL-11-01/PT/PTJ, Order Inviting the Registrar to Respond to the Duty Legal Representative's Motion for Review of Designation, 15 August 2012 (Confidential and *Ex Parte*).

⁵ Request for Leave, para 2.

6. The Pre-Trial Judge, using his discretion under Rule 9(A)(i), decides that in order to avoid any further delays, the Duty Legal Representative shall file his reply no later than 30 August 2012.

FOR THESE REASONS,

THE PRE-TRIAL JUDGE,

PURSUANT TO Rules 8 and 9(A)(i) of the Rules,

GRANTS the Duty Legal Representative's Request for Leave to reply to the Registrar's Submissions of 21 August 2012; and

ORDERS the Duty Legal Representative to file his reply no later than 30 August 2012.

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

Leidschendam, 27 August 2012



Daniel Fransen
Pre-Trial Judge

