



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

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: **30 November 2012**

Original language: **English**

Classification: **Public**

THE PROSECUTOR

v.

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

**DECISION ON PROSECUTION REQUEST FOR EXTENSION OF TIME TO
DISCLOSE MATERIAL AND FILE NOTICE DUE TO UNAVAILABILITY OF THE
LEGAL WORKFLOW DISCLOSURE MODULE**

Office of the Prosecutor:
Mr. Norman Farrell

Counsel for Mr. Salim Jamil Ayyash:
Mr. Eugene O'Sullivan

Legal Representative of Victims:
Mr. Peter Haynes

Counsel for Mr. Mustafa Amine Badreddine:
Mr. Antoine Korkmaz

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

Counsel for Mr. Assad Hassan Sabra:
Mr. David Young



1. The Pre-Trial Judge is in receipt of the Prosecution Request for Extension of Time to Disclose Material and File Notice Due to Unavailability of the Legal Workflow Disclosure Module.¹ The Prosecution requests an extension of time² to disclose approximately 1,500 files and to file the notice required by 30 November 2012 in compliance with the Pre-Trial Judge's Working Plan Order of 25 October 2012.³
2. In support of the Request, the Prosecution submits in Annex A a confidential memorandum from the Project Manager of the Tribunal's Legal Workflow System, explaining that the Disclosure Module of the system is currently unavailable and the reasons for the unavailability. The memorandum also indicates that the Tribunal's Legal Workflow System is expected to have returned to service and be "running adequately by 7 December 2012".⁴ In the same memorandum, the Project Manager advises that the remedial process has taken place in close consultation with all relevant parties, including the Defence, all of whom have been kept informed of the progress on a daily basis.
3. Since the unavailability of the Legal Workflow System's Disclosure Module has prevented the Prosecution from meeting its obligations pursuant to the Working Plan Order, it constitutes good cause to grant the requested extension of time pursuant to Rule 9 of the Rules of Procedure and Evidence (the "Rules").
4. This decision is without prejudice to other pending motions regarding the Working Plan Order and requests for other extensions of time.

¹ STL, *The Prosecutor v. Ayyash et al.*, Case No. STL-11-01/PT/PTJ, Prosecution Request for Extension of Time to Disclose Material and File Notice Due to Unavailability of the Legal Workflow Disclosure Module, 30 November 2012 (the "Request").

² Six working days from when Court Management Services Section notifies the Pre-Trial Judge and the Prosecution that the Disclosure Module in the Legal Workflow System is fully operational.

³ STL, *Prosecutor v. Ayyash et al.*, Case No. STL-11-01/PT/PTJ, Order on a Working Plan and on the Joint Defence Motion regarding Trial Preparation, 25 October 2012 (the "Working Plan Order").

⁴ Annex A to the Request, p. 2 (Confidential).

FOR THESE REASONS,

THE PRE-TRIAL JUDGE,

PURSUANT TO Rule 9 of the Rules;

GRANTS the Request;

ORDERS the Registry to file a notice informing the Pre-Trial Judge, the Parties, and the Legal Representative of Victims as soon as the Legal Workflow System's Disclosure Module is fully functional, and in any event by 16:00 on Friday 7 December 2012 at the latest;

ORDERS the Prosecution to disclose the approximately 1,500 files referred to in the Request within six working days of the date on which the Registry files its notice; and

ORDERS the Prosecution to file the notice of compliance pursuant to the Working Plan Order — initially set for 30 November 2012 — within six working days of the date on which the Registry files its notice.

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

Leidschendam, 30 November 2012.



Daniel Fransen
Pre-Trial Judge

