



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. Daryl Mundis, Acting Registrar**

Date: **18 July 2013**

Original language: **English**

Classification: **Public**

**THE PROSECUTOR**

v.

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

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**DECISION ON PROSECUTION APPLICATION FOR AN EXTENSION OF TIME  
TO PROVIDE MATERIAL REQUESTED BY THE ONEISSI DEFENCE UNDER  
RULE 110(B)**

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**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 seized of an application by the Prosecution (the “Application”) for an extension of time within which to provide material requested by the Oneissi Defence under Rule 110(B) of the Rules of Procedure and Evidence (the “Rules”).<sup>1</sup>

2. The Application is submitted pursuant to Article 18(2) of the Statute, Rule 77(A) and the Specific Disclosure Regime of the Working Plan established by the Pre-Trial Judge in a decision of 25 October 2012.<sup>2</sup>

3. Following receipt of a confidential request for disclosure by the Oneissi Defence on 24 June 2013,<sup>3</sup> and consistent with the Specific Disclosure Regime, the Prosecution ordinarily had until 15 July 2013 to deal with the request.<sup>4</sup> The Prosecution cites “exceptional circumstances” that justify an extension of ten working days until 29 July 2013 within which to “provide material subject to disclosure, if any”.<sup>5</sup>

4. The Pre-Trial Judge agrees that, as submitted by the Prosecution, the following elements of the request by the Oneissi Defence constitute the exceptional circumstances required for such an extension of time to be granted:

- a) the Oneissi Defence request makes six separate and distinct requests;
- b) the Oneissi Defence request is complex, touching on diverse evidence, and wide in scope; and
- c) the Prosecution potentially requires additional time to: (1) further consider the legal bases offered for each request, namely Rules 110(B) and 113; and (2) possibly process electronic files following their verification and comparison with materials already disclosed;<sup>6</sup>

5. The Pre-Trial Judge considers that in light of the foregoing, and taking into account the relatively limited extension of time that the Prosecution is requesting, the Application should be granted.

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<sup>1</sup> STL, *The Prosecutor v. Ayyash et al*, Case No. STL-11-01/PT/PTJ, Prosecution Application for an Extension of Time to Provide Material Requested by the Oneissi Defence under Rule 110(B), with Confidential Annex A, 12 July 2013. All further references to filings and decisions relate to this case number unless otherwise stated.

<sup>2</sup> Order on a Working Plan and on the Joint Defence Motion regarding Trial Preparation, 25 October 2012 (“Decision of 25 October 2012”), pp. 15-16.

<sup>3</sup> Application, Confidential Annex A.

<sup>4</sup> Application, para. 3.

<sup>5</sup> Application, paras 1, 2 and 4.

<sup>6</sup> Application, para. 5.

**FOR THESE REASONS,**

**THE PRE-TRIAL JUDGE,**

**PURSUANT TO** Rule 77(A) of the Rules, and the Decision of 25 October 2012;

**GRANTS** the Application; and

**ORDERS** the Prosecution to comply with the requirements of the Decision of 25 October 2012 by 16:00 on 29 July 2013.

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

Leidschendam, 18 July 2013.



Daniel Fransen  
Pre-Trial Judge

