



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

### THE TRIAL CHAMBER

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

**Before:** Judge David Re, Presiding  
Judge Janet Nosworthy  
Judge Micheline Braidy  
Judge Walid Akoum, Alternate Judge

**Registrar:** Mr. Daryl Mundis, Registrar

**Date:** 6 November 2013

**Original language:** English

**Type of document:** Public

### THE PROSECUTOR

v.

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

### DECISION GRANTING LEAVE TO REPLY TO 'PROSECUTION RESPONSE TO SABRA MOTION FOR STAY OF PROCEEDINGS'

**Office of the Prosecutor:**

Mr. Norman Farrell

**Counsel for Mr. Salim Jamil Ayyash:**

Mr. Eugene O'Sullivan

Mr. Emile Aoun

**Defence Office**

Mr. François Roux

**Badreddine:**

**Counsel for Mr. Mustafa Amine**

Mr. Antoine Korkmaz

**Victims' Legal Representative:**

Mr. Peter Haynes

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



1. On 11 October 2013, counsel for Mr. Assad Hassan Sabra filed a 'Motion for Stay of Proceedings due to Lebanon's Failure to Cooperate with the Defence'.<sup>1</sup> On 29 October 2013, the Prosecution filed a response opposing the Sabra motion.<sup>2</sup> On 31 October 2013, counsel for Mr. Sabra filed a request for leave to reply,<sup>3</sup> to address three discrete issues:
  - (i) The material disclosed by the Prosecution and its relevance to the motion for stay of proceedings;
  - (ii) The apparent exculpatory value of the material sought by the Defence; and,
  - (iii) To amend the relief sought in the motion for stay of proceedings to that proposed in paragraph 12, with legal and factual justification.<sup>4</sup>
2. On 4 November 2013, the Prosecution filed a response opposing this motion.<sup>5</sup>
3. The issues raised in the motion to stay the proceedings are fundamental to the fair and expeditious conduct of the proceedings. The Trial Chamber would be assisted by counsel for Mr. Sabra comprehensively addressing the three issues identified.

**FOR THESE REASONS**, the Trial Chamber:

**GRANTS** the motion seeking leave to reply in respect of the three issues identified.

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

Leidschendam, 6 October 2013

*David Re*

Judge David Re, Presiding

*Janet Nosworthy*

Judge Janet Nosworthy

*Micheline Braidy*

Judge Micheline Braidy



<sup>1</sup> STL, *Prosecutor v. Ayyash, Badreddine, Oneissi and Sabra*, Case No. STL-11-01/PT/TC, Sabra Defence Motion for Stay of Proceedings due to Lebanon's Failure to Cooperate with the Defence', 11 October 2013.

<sup>2</sup> STL-11-01/PT/TC, Prosecution Response to Sabra Motion for Stay of Proceedings', 29 October 2013.

<sup>3</sup> STL-11-01/PT/TC, Sabra Defence Request for Leave to Reply to 'Prosecution Response to Sabra Motion for Stay of Proceedings', 31 October 2013.

<sup>4</sup> Sabra request for leave to reply, para. 15.

<sup>5</sup> STL-11-01/PT/TC, Prosecution Response to Sabra Defence Request for Leave to Reply to the 'Prosecution Response to Sabra Defence Motion for Stay of Proceedings', 4 November 2013.