



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

Date: 29 November 2013

Original language: English

Classification: Public

PROSECUTOR

v.

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

**FURTHER ORDER TO COUNSEL FOR ASSAD HASSAN SABRA IN RELATION
TO REQUESTS FOR STATE COOPERATION**

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

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

**Legal Representatives of
Participating Victims:**
Mr. Peter Haynes
Mr. Mohammad F. Mattar
Ms. Nada Abdelsater-Abusamra

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. Counsel for the Accused Mr. Assad Hassan Sabra have sought a stay of proceedings based partly on what they submit is non-cooperation by the Government of Lebanon to five requests for assistance that have been conveyed to that Government.¹ The Trial Chamber is attempting to ascertain what has not been provided by the Government of Lebanon regarding the information sought in these requests, and any reasons for not having provided that information. On 20 November 2013, the Trial Chamber ordered counsel for Mr. Sabra to clarify exactly what material remains outstanding.²
2. Counsel for Mr. Sabra were ordered ‘to file, by Tuesday 26 November 2013, a list of the outstanding material according to the categories identified in the five requests’.
3. However, instead of informing the Trial Chamber of precisely what material was outstanding, counsel for Mr. Sabra responded³ by providing a table detailing numerous individual requests from the five requests for assistance, plus correspondence between the Special Tribunal and the Lebanese authorities.⁴ They also stated that they had already made submissions on material sought in individual requests for assistance that the Prosecution has disclosed to them.⁵
4. This is not helpful to the Trial Chamber. It cannot comprehend from this submission exactly what material remains outstanding from that which counsel for Mr. Sabra have sought from the Government of Lebanon. If counsel for Mr. Sabra are serious about pursuing this matter, they must provide the information that the Trial Chamber seeks, and in a comprehensible form.

¹ STL, *Prosecutor v. Ayyash, Badreddine, Oneissi and Sabra*, STL-11-01/PT/PTJ, Public redacted version of Sabra Defence Motion for Stay of Proceedings due to Lebanon’s failure to Cooperate with the Defence, 11 October 2013.

² STL-11-01/PT/TC, Order requesting further clarifications, 20 November 2013.

³ Further Clarification Regarding Sabra Defence Motion for Stay of Proceedings, 26 November 2013, *confidential and ex parte*, with *confidential and ex parte* Annexes A and B.

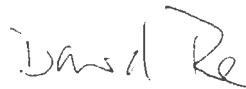
⁴ *Confidential and ex parte* Annex B.

⁵ Further Clarification Regarding Sabra Defence Motion for Stay of Proceedings, 26 November 2013, paragraph 4, *confidential and ex parte*, referring to Sabra Defence Reply to “Prosecution Response to Sabra Motion for Stay of Proceedings”, 13 November 2013, *confidential and ex parte*.

The Trial Chamber therefore orders counsel for Mr. Sabra to specify in their reply, in an uncomplicated and comprehensible form, exactly what information remains outstanding from their requests for assistance to Lebanon – including, if necessary, that contained in the most recent correspondence from the Government of Lebanon, dated 18 November 2013. That means that they must identify the information that they have sought and now lack. The information that they have sought and now have is not relevant to this exercise. The Trial Chamber will extend the date for filing the reply to **Monday 2 December at 10.00 am.**

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

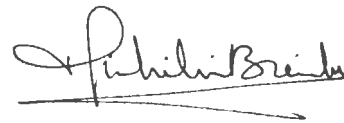
Dated 29 November 2013,
Leidschendam,
The Netherlands



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

