

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: 18 December 2013

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

DECISION ON PROSECUTION MOTION TO EXTEND THE TIME TO FILE REPLIES AND EXCEED THE WORD LIMIT

Office of the Prosecutor:
Mr. Norman Farrell

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

Victims' Legal Representative:
Mr. Peter Haynes

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



1. The Prosecution filed a motion on 13 December 2013,¹ and the Trial Chamber ordered it to file another motion on 17 December 2013,² to which any Defence responses are due by 20 December 2013.³ The Trial Chamber is seized with a Prosecution motion seeking an extension of time in which to file its replies, if any, to Friday 3 January 2014 in view of the judicial recess which is scheduled from 23 December 2013 to 3 January 2014.⁴
2. The Prosecution also seeks a general order from the Trial Chamber to file consolidated replies to all responses, where applicable, with a commensurate extension to the word limit based on the Practice Direction which allows 2,000 words for a single reply.⁵ The Prosecution therefore suggests an appropriate extension for consolidated replies not to exceed 8,000 words. No Defence responses were filed.
3. After the Prosecution had filed its motion, it made an informal request for an extension of time to file the motion due on 17 December 2013 to enable further enquiries to be completed, and consequently, a more comprehensive submission to be made.⁶ The Trial Chamber indicated it would grant this extension and informed the Defence that they would also be granted an extension of time in which to file their responses, if any, to Tuesday 24 December 2013.⁷
4. At the Pre-Trial Conference on 2 December 2013, the Trial Chamber made an oral order generally permitting replies to responses to be filed within 5 days of the response without first seeking leave, unless otherwise ordered.⁸ The Trial Chamber is satisfied that the Prosecution has shown good cause and authorises the Prosecution to file any replies to the Defence responses by Friday 3 January 2014.
5. In the interests of judicial economy, as a general rule, the Trial Chamber will also permit the Prosecution to file consolidated replies to Defence responses with a corresponding extension to the word limit, not exceeding 8,000 words.

¹ STL, *Prosecutor v. Ayyash, Badreddine, Oneissi and Sabra*, Case No. STL-11-01/PT/TC, Prosecution Rule 154 Motion for the Admission of Photos, Videos, Maps and Three-Dimensional Models, 13 December 2013.

² Scheduling Order, 10 December 2013.

³ Scheduling Order, 10 December 2013.

⁴ Urgent Prosecution Motion to Extend the Time to File Replies and Exceed the Word Limit for Consolidated Replies, 17 December 2013.

⁵ Urgent Prosecution Motion to Extend the Time to File Replies and Exceed the Word Limit for Consolidated Replies, 17 December 2013, paras 3-4 and Practice Direction on Filing of Documents before the Special Tribunal for Lebanon, 14 June 2013, Article 5(1)(a).

⁶ Email from the Prosecution to the Trial Chamber's Legal Officer, 17 December 2013.

⁷ Email from the Trial Chamber's Legal Officer to the Prosecution, 17 December 2013 and Email from the Trial Chamber's Legal Officer to the Prosecution and Defence, 18 December 2013.

⁸ Transcript of Pre-Trial Conference, 2 December 2013, page 25, lines 6-25 and page 26, lines 1-14.

FOR THESE REASONS, the Trial Chamber,

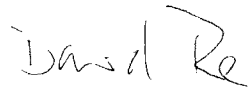
EXTENDS the time for the Prosecution to file its 17 December motion to Thursday 19 December 2013 and the Defence time to file their responses to Tuesday 24 December 2013;

EXTENDS the time for replies to any Defence responses to Friday 3 January 2014;

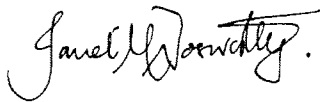
ALLOWS the Prosecution, as a general rule, to file consolidated replies, unless otherwise ordered, with an extended word limit commensurate with the number of Defence responses filed, not to exceed 8,000 words.

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

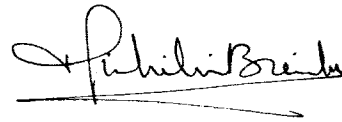
Dated 18 December 2013,
Leidschendam,
the Netherlands



Judge David Re, Presiding



Judge Janet Nosworthy



Judge Micheline Braidy

