

SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE APPEALS CHAMBER

Case No: STL-11-01/T/AC/AR126.9

Before: Judge Ivana Hrdličková, Presiding
Judge Ralph Riachy
Judge David Baragwanath
Judge Afif Chamseddine
Judge Daniel David Ntanda Nsereko

Registrar: Mr Daryl Mundis

Date: 4 June 2015

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

ORDER ON INTERLOCUTORY APPEAL**Prosecutor:**

Mr Norman Farrell

Head of Defence Office:

Mr François Roux

**Legal Representatives of
Participating Victims:**Mr Peter Haynes, Mr Mohammad F. Mattar
& Ms Nada Abdelsater-Abusamra**Counsel for Mr Salim Jamil Ayyash:**Mr Eugene O'Sullivan, Mr Emile Aoun &
Mr Thomas Hannis**Counsel for Mr Mustafa Amine Badreddine:**Mr Antoine Korkmaz, Mr John Jones &
Mr Iain Edwards**Counsel for Mr Hassan Habib Merhi:**Mr Mohamed Aouini, Ms Dorothee Le Fraper
du Hellen & Mr Jad Khalil**Counsel for Mr Hussein Hassan Oneissi:**Mr Vincent Courcelle-Labrousse, Mr Yasser
Hassan & Mr Philippe Laroche**Counsel for Mr Assad Hassan Sabra:**Mr David Young, Mr Guénaél Mettraux
Mr Geoffrey Roberts

1. Counsel for Mr Oneissi have filed an appeal against the Trial Chamber's "Decision on Five Prosecution Motions on Call Sequence Tables and Eight Witness Statements and on the Legality of the Transfer of Call Data Records to UNIIC and STL's Prosecution" of 6 May 2015.¹ We recall that we granted counsel an extension of time to file their appeal by one week, ordering that the appeal must be filed by 3 June 2015, 4 pm.² This would have allowed processing and distribution by the Court Management Services Section ("CMSS") the same day.³ However, counsel filed the appeal only at 9.47 pm.⁴ The appeal was therefore submitted late. We note that the appeal does not contain any explanation for this late filing.

2. Pursuant to Rule 9 of the Rules of Procedure and Evidence ("Rules"), we may *proprio motu* or on good cause being shown by motion "recognise as validly done any act carried out after the expiration of a time so prescribed on such terms, if any, as is thought just". We therefore order counsel to provide reasons for the late filing of the appeal by tomorrow, 5 June 2015, 4 pm.

DISPOSITION

FOR THESE REASONS;

PURSUANT to Rule 9 (A) (ii) of the Rules;

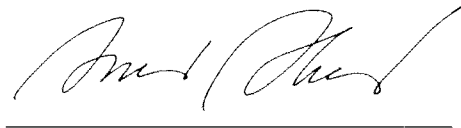
THE APPEALS CHAMBER, deciding unanimously;

ORDERS counsel for Mr Oneissi to provide reasons for the late filing of the appeal by tomorrow, 5 June 2015, 4 pm.

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

Dated 4 June 2015

Leidschendam, the Netherlands



¹ STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/AC/AR126.9, F0003, Appel de la « Decision on Five Prosecution Motions on Call Sequence Tables and Eight Witness Statements and on the Legality of the Transfer of Call Data Records to UNIIC and STL's Prosecution », 3 June 2015.

² STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/AC/AR126.9, F0002, Order on Request for Extension of Time and Word Limits for Filing of Interlocutory Appeal, 26 May 2015, p. 3. Counsel were also granted an extension of the word limit for their appeal.

³ See Art. 2 (6)-(7), Practice Direction on Filing of Documents Before the Special Tribunal for Lebanon, STL/PD/2010/01/Rev.2, 14 June 2013.

⁴ E-Mail from CMSS to Appeals Chamber Legal Officer, 4 June 2015.

Judge Ivana Hrdličková
Presiding Judge

