

THE APPEALS CHAMBER

Case No: STL-11-01/T/AC/AR126.10

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

Registrar: Mr Daryl Mundis

Date: 16 March 2016

Original language: English

Classification: Public

THE PROSECUTOR

v.

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

ORDER BY JUDGE RAPPORTEUR ON REQUEST FOR LEAVE TO FILE A REPLY

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 Iain Edwards &
Ms Mylène Dimitri

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 & Ms Natalie von Wistinghausen

Counsel for Mr Assad Hassan Sabra:
Mr David Young, Mr Guénaél Metzger &
Mr Geoffrey Roberts



1. Counsel for Messrs Badreddine, Merhi and Oneissi (“Counsel”) have appealed¹ the Trial Chamber’s decision of 23 October 2015.² The Legal Representatives of Participating Victims (“LRV”) filed a response, in which, as a preliminary matter, they request the Appeals Chamber to “[g]rant the right of the LRV to respond to the instant appeal”.³
2. Counsel now ask the Appeals Chamber for leave to reply specifically to the LRV’s request for standing to respond to the Appeal.⁴
3. However, as Counsel’s proposed submissions would be limited to addressing the LRV’s request for standing to respond and would not address the merits of the LRV’s brief, these submissions would not amount to a reply, but would constitute a response to the LRV’s request to have standing. Counsel is entitled to file such response without seeking leave from the Appeals Chamber.
4. Pursuant to Rule 9 of the Tribunal’s Rules of Procedure and Evidence (“Rules”), which allows a Judge or Chamber to enlarge or reduce any time prescribed by the Rules, and in light of the narrow scope of Counsel’s proposed submissions, I consider it appropriate that Counsel file such response by 22 March 2016.

¹ STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/AC/AR126.10, F0001, Appellate Brief from the Defence for Messrs Badreddine, Merhi and Oneissi against the Trial Chamber Decision of 23 October 2015 (“Appeal”), 29 February 2016.

² STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/TC, F2286, Decision on Defence Request to Modify the Conditions of Assignment of Omar Nashabe in President’s Decisions of 21 December 2012 and 27 March 2013, 23 October 2015.

³ STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/AC/AR126.10, F0004, Response of the Legal Representative of Victims to the Appellate Brief from the Defence for Messrs Badreddine, Merhi and Oneissi relating to the Trial Chamber Decision of 23 October 2015, 9 March 2016, para. 21.

⁴ STL, *Prosecutor v. Ayyash et al.*, STL-11-01/T/AC/AR126.10, F0008, *Requête de la Défense de MM. Badreddine, Merhi et Oneissi aux fins d’autorisation de déposer une réplique à la Réponse du Représentant Légal des Victimes relative à l’appel interjeté à l’encontre de la Décision de la Chambre de première instance du 23 octobre 2015*, 14 March 2016.

DISPOSITION

FOR THESE REASONS;

PURSUANT to Rule 9 of the Rules;

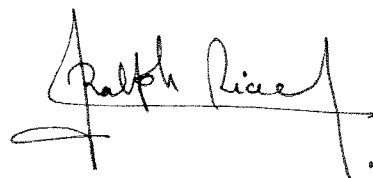
I

ORDER Counsel to respond to the LRV's submissions on standing by 22 March 2016.

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

Dated 16 March 2016

Leidschendam, the Netherlands



Judge Ralph Riachy
Judge Rapporteur

