

**THE TRIAL CHAMBER**

Case No: STL-11-01/T/TC

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

Registrar: Mr Daryl Mundis

Date: 4 April 2017

Original language: English

Classification: Public

DECISION ON THE “URGENT PROSECUTION MOTION FOR STAY OF TIME LIMIT TO FILE A RESPONSE TO THE SABRA SECOND MOTION”

(Extract from Official Public Transcript of Hearing on 4 April 2017, page 5, line 13 to page 7, line 1)

The Prosecution in filing F3058, filed on the 30th of March, 2017, in “Urgent Prosecution Motion for Stay of Time Limit to File a Response to the Sabra Second Motion,” asked the Trial Chamber to stay the time limit for filing a response pending the Trial Chamber making a decision in relation to filing F3024, “Motion for the Admission of Documents Relating to the Claim of Responsibility - Character, Religious Beliefs, and Associates of Ahmad Abu Adass with Updated Annexes,” filed on the 7th of March, 2017.

The counsel acting for the accused Mr. Assad Hassan Sabra opposed the motion, accusing the Prosecution of making “another contrived attempt to prevent the Sabra Defence from placing relevant material before the Trial Chamber to assist it in its determination of the truth.”

The Trial Chamber is dealing with [...] some matters of legal principle in relation to the motion F3024, and it may be that its determination of that matter will determine whether or not the Prosecution has to file a response in filing 3057, “Motion for the Admission of

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Documents Related to the Claim of Responsibility of the Selection of Ahmad Abu Adass,” filed on the 29th of March, 2017.

As the Trial Chamber is at the moment working on finalizing a decision in relation to the first motion, however, the Sabra Defence tendered [...] many documents, each of which the Trial Chamber must examine to determine whether they are relevant and have probative value. This takes some time to do that in order to ensure justice to the party filing the motion.

In these circumstances, the interests of justice support the Prosecution's request to stay the filing of a response until the Chamber has rendered its decision in relation to the first motion, F3024, filed on the 7th of March, 2017.

The Chamber therefore grants the relief and suspends the time for filing a response and varies the time limits under the Rule 9 of the Rules of Procedure and Evidence and orders the Prosecution to file a response, if required, within two weeks of the Chamber rendering its decision in relation to the filing F3024.

Further, the Chamber observes that the statement at paragraph 2 of the Defence response of the 3rd of April, 2017, in F3063, “Response to Urgent Prosecution Motion for Stay of Time Limit to File a Response to the Sabra Second Motion,” uses inappropriate language in accusing the Prosecution of attempting to contrive to prevent them from placing relevant material before the Trial Chamber.

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