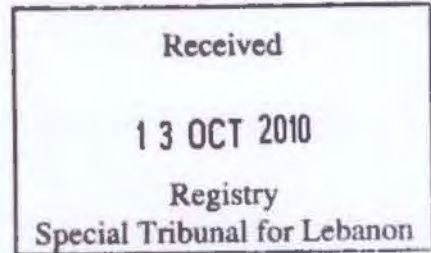




THE PRESIDENT OF THE TRIBUNAL

Case No.: CH/PRES/2010/04
Before: Judge Antonio Cassese
Acting Registrar: Mr Herman von Hebel
Date: 12 October 2010
Original language: English
Type of document: Public



ORDER REFERRING MATTER TO THE APPEALS CHAMBER

Counsel:
Mr Akram Azoury

The Prosecutor:
Mr Daniel Bellemare, MSM, QC

The Head of the Defence Office:
Mr François Roux





I, **ANTONIO CASSESE**, President of the Special Tribunal for Lebanon (“Tribunal”);

NOTING the “Recours contre le deux décisions du Président: (1) suspendre l’Ordonnance du juge de la mise en état (2) inviter les nations Unies comme *amicus curiae*” (“*Recours*”), filed by Mr El Sayed on 11 October 2010;

RECALLING the Scheduling Order issued by me on 1 October 2010 in this matter;¹

RECALLING the Order on Composition of the Appeals Chamber issued by me today;²

NOTING that Article 8(1) of the Statute of the Tribunal provides that five judges shall serve on the Tribunal’s Appeals Chamber;

NOTING Article 17 of the Annex to UN Security Council resolution 1757 (2007), providing that “Judges of the Trial Chamber and the Appeals Chamber shall take office on a date to be determined by the Secretary-General in consultation with the President of the Special Tribunal. Pending such a determination, judges of both Chambers shall be convened on an ad hoc basis to deal with organizational matters and serving, when required, to perform their duties”;

NOTING that the Appeals Chamber will convene in November 2010 to deal with the matters raised by the “Appeal of the ‘Order Relating to the Jurisdiction of the Tribunal to Rule on the Application by Mr El Sayed Dated 17 March 2010 and Whether Mr El Sayed Has Standing before the Tribunal’ and Urgent Request for Suspensive Effect” by the Tribunal’s Prosecutor and subsequent filings in the case;

CONSIDERING the need to hear from both parties on the matter;

PURSUANT TO Rule 32(B),

¹ Scheduling Order, Case No. CH/PRES/2010/02, 1 October 2010.

² Order on Composition of the Appeals Chamber, Case No. CH/PRES/2010/03, 12 October 2010



HEREBY ASSIGN the *Recours* to the Appeals Chamber in its present composition;

ORDER:

- The Prosecutor to file a response, if any, to the *Recours* by 18 October 2010;
- Mr El Sayed to file a reply to the response, if any, within 3 days of the notification of the French translation of the response.

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

Dated this 12th day of October 2010,

Leidschendam, The Netherlands

Judge Antonio Cassese

President

