



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE PRESIDENT OF THE TRIBUNAL

Case No.: CH/PRES/2010/06
Before: Judge Antonio Cassese
Acting Registrar: Mr Herman von Hebel
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SCHEDULING ORDER ON JUDGE RIACHY DISQUALIFICATION MOTION

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 “Demande de récusation et de dessaisissement de Monsieur le Vice-président Ralph Riachi” (“Disqualification Motion”) filed by Mr El Sayed (“the Applicant”) on 20 October 2010;

RECALLING the “Order on Composition of the Appeals Chamber”¹ issued by me on 12 October 2010, which names Judge Ralph Riachy as one of the Appeal Judges to rule on 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”² submitted by the Prosecutor of the Tribunal and subsequent filings in the case;

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

NOTING that that Rule 25 of the Rules of Procedure and Evidence of the Tribunal (“Rules”) provides for the disqualification of Judges;

CONSIDERING that the Disqualification Motion raises important issues that are vital to the Tribunal’s sense of justice and integrity;

CONSIDERING further that, should the Disqualification Motion be successful, the Appeals Chamber’s composition would be altered;

CONSIDERING the need to peruse some documents not submitted by the Applicant;

¹ Order on Composition of the Appeals Chamber, Case No. CH/PRES/2010/03, 12 October 2010.

² 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, Filing No. OTP/AC/2010/01, 28 September 2010.



PURSUANT TO Rule 25 and 32(B),

REQUEST Mr El Sayed to submit forthwith copies of the three applications for disqualification (“*demandes successive de dessaisissement*”) mentioned in paragraph 12 of his Disqualification Motion, as well as a copy of the decision or decisions of the Beirut Appeals Chamber (“*demandes en récusation ... rejetées*”) referred to in paragraph 13 of his Disqualification Motion;

CALL UPON Judge Riachy to submit a memorandum to me on the issues raised by the Disqualification Motion by 27 October 2010.

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

Dated this 21st day of October 2010,

Filed in Leidschendam, The Netherlands



Antonio Cassese
President