

**THE PRESIDENT OF THE TRIBUNAL**

Case No.: STL-11-01/I/PRES
Before: Judge Antonio Cassese
Registrar: Mr Herman von Hebel
Date: 8 September 2011
Original language: English
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ORDER ON COMPOSITION OF THE TRIAL CHAMBER

The Prosecutor:
Mr Daniel A. Bellemare, MSM, Q.C.

The Head of the Defence Office:
Mr François Roux





SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

I, Antonio Cassese, PRESIDENT of the Special Tribunal for Lebanon (“Tribunal”);

CONSIDERING the *Order Pursuant to Rule 76(E)* in *Prosecutor v. Salim Ayyash, Mustafa Badreddine, Hussein Oneissi and Assad Sabra* (Case No. STL-11-01/I/PRES) that I issued on 18 August 2011 (“Order”);

NOTING that the Order set in motion the process of public advertisement of the indictment in *Prosecutor v. Ayyash et al.*, in accordance with Rule 76 *bis* of the Rules of Procedure and Evidence (“Rules”) and as envisioned by Rule 105 *bis* (A) of the Rules;

MINDFUL that the Order requests the Lebanese authorities to report to me by 19 September 2011 (as well as on the 19th day of each month thereafter) on all efforts undertaken to search for, serve the indictment on, arrest, detain and transfer each of the accused, including any assistance provided in accordance with Rule 76 *bis* of the Rules, and that I will forward all such reports to the Pre-Trial Judge, the Presiding Judge of the Trial Chamber, the Prosecutor and the Head of the Defence Office;

CONSIDERING the advisability of the Prosecutor and the Head of the Defence Office making submissions on whether or not the conditions for a trial *in absentia* in *Prosecutor v. Ayyash et al.* have been fulfilled pursuant to Rule 106 of the Rules;

HAVING CONSULTED the Presiding Judge of the Trial Chamber about whether such submissions would be useful;

CONSCIOUS that it is for Pre-Trial Judge, pursuant to Rule 105 *bis* (A) of the Rules, to seize the Trial Chamber of the issue of whether to initiate proceedings *in absentia* and thereafter for the Trial Chamber to determine the date and modalities by which the Prosecutor and the Head of the Defence Office should file submissions, as well as to ascertain whether the requirements of Rule 106 of the Rules have ultimately been met;



NOTING Article 8 of the Statute of the Tribunal and Articles 2 and 17(b) of the Annex to UN Security Council resolution 1757 (2007);

NOTING the UN Secretary-General's recent determination that the remaining Judges of the Special Tribunal who have not yet taken up office shall do so as of 20 September 2011;

PURSUANT to Rules 27, 29, 30 and 32(B) of the Rules,

HEREBY CONVENE the Tribunal's Trial Chamber as of 20 September 2011, comprising the following Judges:

- (a) Judge Robert Roth, Presiding Judge;
- (b) Judge Janet Nosworthy (Alternate Judge);
- (c) Judge Walid Akoum (Alternate Judge);
- (d) Judge Micheline Braidj; and
- (e) Judge David Re.

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

Filed this 8th day of September 2011,

Leidschendam, The Netherlands.

Judge Antonio Cassese
President

