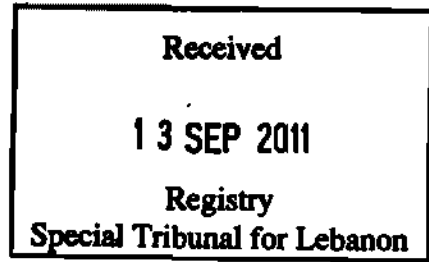


**PRESIDENT OF THE TRIBUNAL**

**Filing No.:** CH/PRES/2011/02  
**Before:** Judge Antonio Cassese, President  
**Registrar:** Mr. Herman von Hebel  
**Date:** 13 September 2011  
**Original language:** English  
**Type of document:** Public

**SCHEDULING ORDER**

**Counsel:**  
Mr. Akram Azoury

**Office of the Prosecutor:**  
Mr. Daniel A. Bellemare, MSM, Q.C.  
Mr. Daryl A. Mundis  
Mr. Ekkehard Withopf  
Mr. David Kinnecome  
Ms. Marie-Sophie Poulin

**Head of the Defence Office:**  
Mr. François Roux





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

**NOTING** that, on 12 September 2011, the Prosecution filed before the Tribunal’s Appeals Chamber an urgent appeal against a decision of the Pre-Trial Judge dated 2 September 2011 (“Decision of 2 September 2011”),<sup>1</sup> which included a request that the Appeals Chamber suspend the Pre-Trial Judge’s order that the Prosecution disclose specified witness statements to Jamil El Sayed (“Mr. El Sayed”) (“Prosecution’s Appeal”);<sup>2</sup>

**NOTING** that, on 12 September 2011, Mr. El Sayed submitted a response to the Prosecution’s request for suspension in the Prosecution’s Appeal, and asked for a period of 14 working days in which to respond to the Prosecution’s grounds of appeal;<sup>3</sup>

**NOTING** further that, also on 12 September 2011, the Appeals Chamber granted the Prosecution’s request to suspend the Decision of 2 September 2011 for the minimum period required to determine the merits of the Prosecution’s Appeal (“Decision on Suspension”);<sup>4</sup>

**FURTHER** to the Appeals Chambers’ indication in the Decision on Suspension that it would pronounce a timetable for further submissions in this matter;

**NOTING** the President’s authority under Article 10(1) of the Statute and Rule 32 of the Tribunal’s Rules of Procedure and Evidence, and after having consulted with the other Appeals Judges;

**HEREBY ORDER:**

1. The Prosecution to file by 11am on Wednesday, 21 September 2011, on a confidential and *ex parte* basis, a comprehensive summary of the security and safety concerns relating to each witness impacted by the disclosure of documents pursuant to the Decision of 2 September 2011, including:

<sup>1</sup> Decision relating to the Prosecutor’s second application for suspension of the Decision of 6 July 2011, CH/PTJ/2011/15, 2 September 2011.

<sup>2</sup> Urgent Prosecution’s Appeal of the Pre-Trial Judge’s Decision of 2 September 2011 and Request for Suspensive Effect Pending Appeal, OTP/AC/2011/02, 12 September 2011.

<sup>3</sup> Réplique à “Prosecution’s Appeal of the Pre-Trial Judge’s Decision of 2 September 2011 and Request for the Suspensive Effect Pending Appeal,” para. 1.

<sup>4</sup> Order on Urgent Prosecution’s Request for Suspensive Effect Pending Appeal, CH/AC/2011/01, 12 September 2011.



- a. the name of each witness;
  - b. the nature of the risks that each witness faces in relation to the documents in question;  
and
  - c. an assessment of the reasons for such risks and why measures other than non-disclosure would be insufficient to eliminate them.
2. Mr. El Sayed to file, by no later than Friday, 30 September 2011, his response to the Prosecution's Appeal.

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

Filed this thirteenth day of September 2011,

Leidschendam, the Netherlands

=

Judge Antonio Cassese

President

