

**THE PRESIDENT**

Case No.: STL-11-01/PT/PRES
Before: Judge David Baragwanath, President
Registrar: Mr Herman von Hebel
Date: 12 December 2012
Original language: English
Classification: Public

THE PROSECUTOR

v.

**SALIM JAMIL AYYASH
MUSTAFA AMINE BADREDDINE
HUSSEIN HASSAN ONEISSI
ASSAD HASSAN SABRA**

ORDER FOR ADDITIONAL SUBMISSIONS

Prosecutor:
Mr Norman Farrell

Counsel for Mr Salim Jamil Ayyash:
Mr Eugene O'Sullivan
Mr Emile Aoun

Head of Defence Office:
Mr François Roux

Counsel for Mr Mustafa Amine Badreddine:
Mr Antoine Korkmaz
Mr John Jones

Counsel for Mr Hussein Hassan Oneissi:
Mr Vincent Courcelle-Labrousse
Mr Yasser Hassan

Counsel for Mr Assad Hassan Sabra:
Mr David Young
Mr Guénaél Mettraux





1. In compliance with my Decision and Scheduling Order of 21 November 2012,¹ the Head of Defence Office, the Registrar and the Prosecutor have filed their submissions on the merits of the Defence Office request for review of the Registrar's administrative decision not to permit retainer of Dr Omar Nashabe as a "Local Resource Person" to assist Defence counsel for the four accused in the *Ayyash et al.* case.² Responses are due on Friday, 14 December 2012.

2. The filings I have received so far have not addressed a number of issues on which briefing may be useful. I therefore invite the parties, without prejudice to any other issue which they may wish to address in their respective responses, to provide their views on the following matters:

- a) Whether the review simply encompasses the Registrar's administrative decision to deny implementation of the framework proposed by the Head of Defence Office in order to employ Dr Nashabe, or whether it also extends to the Head of Defence Office's decision to hire Dr Nashabe as a Local Resource Person; and,
- b) Whether the Registrar and the Prosecutor would be willing to accept Dr Nashabe's engagement by the Defence other than by way of the proposed framework.

3. I emphasize that my raising these issues for clarification in no way expresses any view upon them or on the merits of the request for review.

DISPOSITION

FOR THESE REASONS;

I

INVITE the parties to address the issues set out in paragraph 2 of this Order in their responses due on Friday 14 December 2012.

¹ STL, *Prosecutor v. Ayyash et al.*, STL-11-01/PT/PRES, Decision and Scheduling Order Following Defence Office Request of 15 November 2012, 21 November 2012.

² STL, *Prosecutor v. Ayyash et al.*, STL-11-01/PT/PRES, Defence Office Submissions on the Merits, 7 December 2012; *Prosecutor v. Ayyash et al.*, STL-11-01/PT/PRES, Registry Submission Regarding the President's Decision and Scheduling Order Following Defence Office Request of 15 November 2012, 7 December 2012; *Prosecutor v. Ayyash et al.*, STL-11-01/PT/PRES, Prosecution Submissions Pursuant to Scheduling Order of 21 November 2012, 7 December 2012.



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

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

Dated 12 December 2012.

Leidschendam, the Netherlands

Judge David Baragwanath

President

