



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

**THE PRESIDENT**

**Case No.:** STL-11-01/PT/PRES  
**Before:** Judge David Baragwanath, President  
**Registrar:** Mr Herman von Hebel  
**Date:** 5 March 2013  
**Original language:** English  
**Classification:** Public

**THE PROSECUTOR**

v.

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

**SCHEDULING ORDER**

**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 Guénaël Mettraux





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1. On 1 March 2013, the Registrar filed confidentially a “Registry Submission Pursuant to Rule 48(C) Seeking Clarification and Relief Regarding the President’s Decision of 21 December 2012”, related to the Defence retainer of Dr Nashabe, of which I am now seized. My Chef de Cabinet has been advised by the Registry that it has in the meantime advised the Defence Office that payment for services rendered by him in February has been approved.
2. Having received the formal request I currently await the formal response of the parties said to be affected by it and to whom it is addressed, namely the Defence Office and counsel for the four accused.
3. Instead of such response, at 13:29 today I was sent a document addressed to the President and Vice-President described as “Open letter from counsel for the Defence before the Special Tribunal for Lebanon.” It is signed by Defence counsel for all four accused.
4. The document contains assertions unsupported by evidence and does not respond directly to the issues raised in the Registrar’s Submission. Nor does it seek relief from the President or from the Tribunal. Rather it advises of a joint request by Defence counsel to the Head of Defence Office to seize the Secretary-General of the United Nations of their concerns.
5. The document does not relieve counsel or the President of the need to deal with the Registrar’s submission. I consider that a formal scheduling order is now required and so direct.
6. Further, I am responsible under Article 10 (1) of the Statute of the Tribunal for its effective functioning and the good administration of justice. It is also my responsibility under Rule 32(F) to represent the Tribunal in international relations with the United Nations. In view of a proposal by Defence counsel that the Head of Defence should approach the United Nations on the matter of which the President is currently seized I direct an urgent conference with counsel.



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**FOR THESE REASONS;**

**I**

- (1) **DIRECT** the Head of Defence and Defence counsel by 4 pm on Thursday 14 March 2013 to file their response to the Registrar's Submission of 1 March 2013.
- (2) **CONVENE** a conference with all counsel, the Head of Defence and the Registrar or his Deputy in my Chambers at 4.30 pm today.

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

Dated 5 March 2013,

Leidschendam, the Netherlands

Judge David Baragwanath

President

