



SPECIAL TRIBUNAL FOR LEBANON

المحكمة الخاصة بلبنان

TRIBUNAL SPÉCIAL POUR LE LIBAN

THE CONTEMPT JUDGE

Case No.: STL-14-06/PT/CJ
Before: Judge Nicola Lettieri, Contempt Judge
Registrar: Mr Daryl Mundis, Registrar
Date: 17 July 2014
Original language: English
Classification: Public

IN THE CASE AGAINST

AKHBAR BEIRUT S.A.L.
IBRAHIM MOHAMED ALI AL AMIN

SCHEDULING ORDER

***Amicus Curiae* Prosecutor:**
Mr Kenneth Scott

**Counsel for Akhbar Beirut S.A.L. and
Mr Ibrahim Mohamed Ali Al Amin:**
Mr Antonios Abou Kasm



1. On 29 May 2014, I ordered the Head of Defence Office to assign counsel to the Accused.¹ I received a request by the Accused for certification to appeal that decision on 12 June 2014.²
2. On 18 June 2014, I ordered the Accused to make written submissions on whether they intended to participate in the hearings against them and, if so, whether they would appoint counsel of their own choosing or represent themselves, with legal assistance if necessary, and by being present in the courtroom.³ The Accused's response of 25 June 2014 failed to respond to the questions specified in my Order.⁴
3. On 20 June 2014, the *Amicus Curiae* Prosecutor ("*Amicus*") filed his first response to the certification request,⁵ and he filed a further response on 7 July 2014.⁶ In his further response the *Amicus* requested, *inter alia*, that I order an oral hearing, with the Accused present, to again inquire how they intend to participate in the proceedings.⁷
4. On 30 June 2014, the Head of Defence Office assigned Mr Antonios Abou Kasm to represent the Accused in this case.⁸ Mr Abou Kasm was sworn in on 3 July 2014.⁹ On 14 July 2014, Mr Abou Kasm filed a request for leave to reply to *Amicus*' further response, attaching a reply as an annex.¹⁰
5. On 17 July 2014, I denied the certification request.¹¹ I also noted that the arguments in both the further response and the request for leave to reply to the further response were outside

¹ STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06, Transcript of 29 May 2014 ("Transcript of 29 May 2014"), p. 19 (EN). Written reasons were provided on 5 June 2014 (*see* STL, *In the case against Akhbar Beirut S.A.L. and Al Amin*, STL-14-06/PT/CJ, F0018, Reasons for Decision on Assignment of Counsel, 5 June 2014. All further references to filings and decisions refer to this case number unless otherwise stated.

² F0019/COR, Request for Certification to Appeal a Decision "Reasons for Decision on Assignment of Counsel" Date: 5 June 2014, 12 June 2014.

³ F0024, Decision on Requests by Head of Defence Office and Order on Further Submissions, 18 June 2014.=

⁴ F0026, Response to Demand that I Clarify My Position Pursuant to the Order of 18 June 2014, 25 June 2014.

⁵ F0025, Response to Defence Request for Certification to Appeal a Decision "Reasons for Decision on Assignment of Counsel" Date 5 June 2014, 20 June 2014.

⁶ F0032, Further Response to Defence Request for Certification to Appeal "Reasons for Decision on Assignment of Counsel" Dated 5 June 2014, 7 July 2014 ("Further Response").

⁷ Further Response, para. 30.

⁸ F0028, Appointment of Counsel Pursuant to Rule 59 (F) of the Rules of Procedure and Evidence, 30 June 2014.

⁹ F0035, *Demande du conseil d'office aux fins d'autorisation de répliquer à la* Further Response to Defence Request for Certification to Appeal « Reasons for Decision on Assignment of Counsel » déposée le 7 juillet 2014 par le Procureur *Amicus Curiae*, 14 July 2014, para. 17.

¹⁰ *Ibid.*

¹¹ F0036, Decision on the Request for Certification to Appeal Decision on Assignment of Counsel", 17 July 2014.

the scope of the request for certification and the issues contained therein.¹² However, I consider that it will be prudent to hold a status conference after the upcoming judicial recess. This would be a good forum to address the concerns of the parties. The Accused are also invited to participate, and indeed they will have yet another chance to clarify their intentions regarding these proceedings. Closer to the time of the status conference I will issue a schedule of the day, and the parties will be invited to add any outstanding issues to that schedule. In preparation for this status conference, I order *Amicus* to file a proposed timeline in this case by 18 August 2014. Defence counsel is invited to respond to this submission during the Status Conference.

DISPOSITION

FOR THESE REASONS;

PURSUANT to Rule 60 *bis*;

I

ORDER *Amicus* to file a proposed timeline in this case by 18 August 2014;

ORDER that a Status Conference be convened on a date to be determined after I have received these submissions, during which Defence counsel will have an opportunity to respond to *Amicus*' submissions;

INVITE the Accused to participate in the Status Conference;

REMIND the parties of the confidentiality and protective measures set out in my Decision on the *Amicus Curiae* Prosecutor's Application for Protective Measures and Non-Disclosure of 3 July 2014.

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

Dated 17 July 2014

Leidschendam, the Netherlands



Judge Nicola Lettieri
Contempt Judge



¹² *Id.* at para. 12.