



المحكمة الخاصة بلبنان  
SPECIAL TRIBUNAL FOR LEBANON  
TRIBUNAL SPÉCIAL POUR LE LIBAN

# Hassan Habib Merhi

*Ayyash et al.*

(Case number STL-11-01)



## CASE INFORMATION SHEET

### ***Charges (as set out in the indictment)***

- Conspiracy aimed at committing a terrorist act;
- Being an accomplice to the felony of committing a terrorist act by means of an explosive device;
- Being an accomplice to the felony of intentional homicide of Rafik Hariri with premeditation by using explosive materials;
- Being an accomplice to the felony of intentional homicide of 21 other persons with premeditation by using explosive materials;
- Being an accomplice to the felony of attempted intentional homicide of 226 persons with premeditation by using explosive materials.

*The accused, charged with the crimes detailed in the indictment, is presumed innocent until proven guilty beyond reasonable doubt.*

### ***Biographical information (as set out in the indictment)***

<b><i>Date of birth</i></b>	12 December 1965
<b><i>Place of birth</i></b>	Beirut, Lebanon
<b><i>Nationality</i></b>	Lebanese
<b><i>Confirmation of the indictment</i></b>	31 July 2013
<b><i>Arrest warrant</i></b>	Delivered sealed to the Lebanese authorities on 6 August 2013 and 31 October 2016. International arrest warrant issued on 31 July 2013 and 11 October 2016.
<b><i>Current situation</i></b>	Mr. Merhi remains at large. On 20 December 2013, the STL Trial Chamber decided to try Mr. Merhi <i>in absentia</i> .
<b><i>Commencement of trial in the <i>Ayyash et al.</i> case</i></b>	16 January 2014
<b><i>Joinder to the <i>Ayyash et al.</i> case</i></b>	11 February 2014
<b><i>Commencement of trial</i></b>	18 June 2014

### ***Alleged criminal acts***

The indictment states that the former Lebanese Prime Minister Rafik Hariri was assassinated on 14 February 2005, at 12:55 on Rue Minet el Hos'n in Beirut as a result of a terrorist act in which a suicide bomber detonated a large quantity of high explosives concealed in a van. In addition to killing Rafik Hariri, the explosion killed 21 other persons and injured 226.

Hassan Habib Merhi is accused of having participated in a conspiracy with others aimed at committing a terrorist act to assassinate Rafik Hariri. Mr Merhi is accused of having coordinated, together with former Accused Mustafa Amine Badreddine (reportedly deceased), the preparation

of the false claim of responsibility, and, at times, to have been in contact with Salim Jamil Ayyash in relation to the preparations for the 14 February 2005 attack. Additionally, prior to the attack, Mr Merhi is believed to have coordinated the activities of Hussein Hassan Oneissi and Assad Hassan Sabra in order to identify a suitable individual (later identified as Ahmad Abu Adass) to make a video-taped false claim of responsibility for the attack. Immediately following the attack, Mr Merhi is alleged to have coordinated the activities of Messrs Oneissi and Sabra to ensure the delivery of the video to the Al- Jazeera office in Beirut, and its broadcast.

Special Tribunal for Lebanon, Dokter van der Stamstraat 1, 2265 BC Leidschendam, Netherlands

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[www.stl-tsl.org](http://www.stl-tsl.org)



YouTube



## Key judicial developments

**16 February 2011** - The Appeals Chamber renders [its interlocutory decision on the applicable law](#) interpreting, *inter alia*, terrorism, conspiracy and modes of liability under international and Lebanese law.

**28 June 2011** - The Pre-Trial Judge [confirms the indictment](#) submitted by the Prosecutor on 17 January 2011 against Messrs Ayyash, Badreddine, Oneissi and Sabra.

**12 July 2011** - The Victims' Participation Unit opens applications for victims to participate in the [Ayyash et al.](#) proceedings. (As of August 2017, there are over 70 participating victims.)

**1 February 2012** - The Trial Chamber decides to try the four Accused in the [Ayyash et al.](#) case in absentia.

**24 October 2012** - The Appeals Chamber [dismisses](#) the Defence appeals against the Trial Chamber decision upholding the jurisdiction and legality of the Tribunal.

**31 July 2013** - The Pre-Trial Judge confirms a sealed indictment submitted by the Prosecutor (on 5 June 2013) against Mr Merhi. [The indictment](#) is made available in a public redacted form in October 2013.

**20 December 2013** - The Trial Chamber issues [a decision to try Mr Merhi in absentia](#).

**20 December 2013** - The Head of the Defence Office assigns Defence counsel to represent the interests and rights of Mr Merhi.

**30 December 2013** - The Prosecution files an application to the Trial Chamber in the [Ayyash et al.](#) case to join the two cases.

**16 January 2014** - The [Ayyash et al.](#) trial starts.

**11 February 2014** - The Trial Chamber [joins the case](#) against Hassan Habib Merhi to the [Ayyash et al.](#) proceedings.

**10 March 2014** - The Prosecutor files a consolidated indictment against Messrs Ayyash, Badreddine, Merhi, Oneissi and Sabra.

**18 June 2014** - The [Ayyash et al.](#) trial resumes after it was adjourned upon the request of the Merhi Defence.

**28 July 2015** - The Appeals Chamber [confirms](#) a Trial Chamber decision that call data records from Lebanese telecommunications companies were legally transferred to the Prosecutor and could be proposed for admission into evidence.

**12 July 2016** - The Prosecution files an [amended indictment](#) removing Mustafa Amine Badreddine from the list of Accused and naming him a co-conspirator. The previous day, the Appeals Chamber had [determined](#) that there was sufficient evidence to conclude that Mr Badreddine had died.

**28 August 2017** - The victims' case [begins](#), allowing victims' views and concerns to be presented to the Trial Chamber by their Legal Representatives. The case continues through 8 September 2017.

 The work of the STL is divided into four phases: investigation and indictment, pre-trial, trial and appeal. An overview of these procedural stages is available on the STL website:  
[www.stl-tsl.org/en/about-the-stl/the-four-phases](http://www.stl-tsl.org/en/about-the-stl/the-four-phases)

**TERRORISM** The STL is the first tribunal of an international character to deal with terrorism as a distinct crime committed outside the context of an armed conflict. The Tribunal was established by [UN Security Council Resolution 1757](#) (2007), which reaffirmed that the attack of 14 February 2005 and its implications constituted a "threat to international peace and security". In its decision of 16 February 2011 on the law to be

applied by the Tribunal, the STL's Appeals Chamber [clarified](#) that the Tribunal applies Lebanese domestic law – including the crime of terrorism stipulated in Article 314 of the Lebanese Criminal Code – in consonance with international conventional and customary law. The Appeals Chamber's decision also defined terrorism as a crime under customary international law for the first time.

### Composition of the Trial Chamber

Judge [David Re](#), *Presiding Judge*

Judge [Micheline Braidy](#)

Judge [Janet Nosworthy](#)

Judge [Walid Akoum](#), *Alternate Judge*

Judge [Nicola Lettieri](#), *Alternate Judge*

### Representation of the Office of the Prosecutor

Mr [Norman Farrell](#), *Prosecutor*

Ms [Joyce Tabet](#), *Deputy Prosecutor*

Mr [Ekkehard Withopf](#), *Senior Trial Counsel*

### Defence Counsel for Salim Jamil Ayyash

Mr [Mohamed Aouini](#), *Lead Counsel*

Ms [Dorothee Le Fraper du Hellen](#), *Co-Counsel*

Mr [Jad Khalil](#), *Co-Counsel*

### Defence Office

Ms [Dorothee Le Fraper du Hellen](#), *Head of the Defence Office*

Ms [Héleyn Uñac](#), *Deputy Head of the Defence Office*

### Representation of the Registry

Mr [Daryl A. Mundis](#), *Registrar*

### Legal Representatives of the Victims

Mr [Peter Haynes](#), *Lead Legal Representative*

Mr [Mohammad Mattar](#), *Co-legal Representative*

Ms [Nada Abdelsater-Abusamra](#), *Co-legal Representative*

*The biographies of STL senior officers are available on the Tribunal's website:*

[www.stl-tsl.org/en/about-the-stl/biographies](http://www.stl-tsl.org/en/about-the-stl/biographies)

*Last updated August 2018*