

BEFORE THE PRE-TRIAL JUDGE
SPECIAL TRIBUNAL FOR LEBANON

Case No.: **STL-18-10-I-PTJ**
Before: **Judge Daniel Fransen**
Registrar: **Mr. Daryl Mundis**
Date: **14 June 2019**
Filing Party: **Prosecutor**
Original language: **English**
Classification: **Public**

THE PROSECUTOR
v.
SALIM JAMIL AYYASH

**Public Redacted
Indictment**

Office of the Prosecutor
Mr. Norman Farrell



I. PREAMBLE

1. The Prosecutor of the Special Tribunal for Lebanon, pursuant to the authority stipulated in Articles 1 and 11 of the Statute for the Special Tribunal for Lebanon, charges under Articles 2 and 3 of the Statute, and thereby under the Lebanese Criminal Code and the Lebanese Law of 11 January 1958 on ‘Increasing the penalties for sedition, civil war and interfaith struggle’

SALIM JAMIL AYYASH with:

Count 1 - **Conspiracy aimed at committing a Terrorist Act;**

Count 2 - *in the alternative to Count 1*, **Criminal Association;**

Count 3 - **Committing a Terrorist Act;**

Count 4 - **Intentional Homicide with premeditation** (of Ghazi ABOU-KARROUM, Georges HAWI, and Khaled MOURA); and

Count 5 - **Attempted Intentional Homicide with premeditation** (of Elias EL-MURR, Marwan HAMADE, and 17 persons named in Schedules A, B, and C).

II. THE ACCUSED

2. **SALIM JAMIL AYYASH¹ (AYYASH)** was born on 10 November 1963 in Harouf, Lebanon. He is the son of Jamil Dakhil AYYASH (father) and Mahasen Issa SALAMEH (mother). He has resided *inter alia* at: Al-Jamous Street, Tabajah building, Hadath, Beirut, Lebanon; and at the AYYASH family residence in Harouf, Nabatiyeh, South Lebanon. He is a citizen of Lebanon. His Lebanese civil registration is 197/Harouf, and his social security number is 63/690790.
3. **AYYASH**, at all times relevant to the indictment, was a supporter of Hezbollah, which is a political and military organisation in Lebanon.

III. A CONCISE STATEMENT OF THE FACTS

A. OVERVIEW

4. **AYYASH**, together with the late Mustafa Amine BADREDDINE (BADREDDINE) and unidentified participants, agreed to detonate an explosive device in a public place to cause a state of terror and assassinate Marwan Mohammed HAMADE (HAMADE); agreed to detonate an explosive device in a public place to cause a state of terror and assassinate Georges Anis HAWI (HAWI); and agreed to detonate an explosive device in a public place to cause a state of terror and assassinate Elias Michel EL-MURR (EL-MURR). **AYYASH** coordinated the preparation and execution of separate attacks, conducted by means of explosive devices detonated in public places, against each of those prominent Lebanese political figures. The attacks caused the deaths of HAWI, Ghazi ABOU-KARROUM, and Khaled MOURA. For reasons beyond the control of the perpetrators, the attacks did not result in the deaths of HAMADE, EL-MURR, or 17 other victims, who were injured.
5. **BADREDDINE**, also known as ‘Sami ISSA’, was born on 6 April 1961 in Al-Ghobeiry, Beirut, Lebanon. He was the son of Amine BADREDDINE (father) and Fatima JEZEINI (mother). He was a citizen of Lebanon. His Lebanese civil registration was 341/Al-Ghobeiry. **BADREDDINE** was a senior military commander of Hezbollah at all times relevant to the indictment and until his death in May 2016.

¹ In Arabic سليم جميل عياش .

6. **AYYASH** coordinated the preparation and execution of each of these attacks. He coordinated surveillance conducted by unidentified participants, including of the targeted victims' residences, other locations frequented by them, their travel routes, and of suitable locations to carry out the attacks. With regard to the HAMADE and HAWI attacks, **AYYASH** also conducted surveillance himself and inspected the eventual locations of these attacks. With regard to the EL-MURR attack, **AYYASH** coordinated surveillance of the target.
7. **AYYASH** communicated with BADREDDINE regarding the preparation of each attack, and after the attacks on HAMADE and HAWI.

B. PHONE NETWORKS INVOLVED IN THE ATTACKS

8. **AYYASH**, BADREDDINE, and unidentified participants involved in the HAMADE, HAWI, and EL-MURR attacks used groups of mobile phones to facilitate the preparation and execution of all the attacks.
9. The phone groups operated as networks with covert characteristics, with a high frequency of contact between the phones within that group and limited, if any, contacts with phones outside that group.
10. The phone groups, which have been assigned colour-codes for ease of reference, and specific phones **AYYASH**, BADREDDINE and unidentified participants used in relation to the HAMADE, HAWI, and EL-MURR attacks, are as follows:
 - a. **Yellow Network**: a network of phones activated between 1999 and 2003 and operational until 7 January 2005. Between 27 September and 1 October 2004, three **Yellow Network** phones were used in the attack against HAMADE and are listed below with their short-names:

Yellow Network Number	3205294 (AYYASH)	3971933 (Subject 8)	3712024 (Subject 9)
Short name	Yellow 294	Yellow 933	Yellow 024

- b. **Green Network**: a network of phones used from at least 30 September 2004 to 14 February 2005. They were used to communicate almost exclusively with each other. Between 30 September and 1 October 2004, two **Green Network** phones

were used in the attack against HAMADE and are listed below with their short-names:

Green Network Number	3159300 (AYYASH)	3140023 (BADREDDINE)
Short name	Green 300	Green 023

- c. **Blue Network**: a network of phones used between 18 October 2004 and the end of September 2005. They were used to communicate almost exclusively with each other. Between 22 May and 11 July 2005, nine **Blue Network** phones were used across the attacks against HAWI and EL-MURR, as listed below with their short-names:

Blue Network Number	3071233 (AYYASH)	3043585 (Subject 5)	3197610 (Subject 6)	3067324 (Subject 7)	3197817 (Subject 8)
Short name	Blue 233	Blue 585	Blue 610	Blue 324	Blue 817

Blue Network Number	3198864 (Subject 9)	3071235 (Subject 12)	3193428 (Subject 18)	3196742 (Subject 19)
Short name	Blue 864	Blue 235	Blue 428	Blue 742

11. The same group of perpetrators, namely **AYYASH**, **BADREDDINE**, and unidentified participants, including Subject 5, Subject 6, Subject 7, Subject 8, and Subject 9, also used these covert phone networks in the preparation and/or execution of the attack against Rafik **HARIRI** (**HARIRI**) that took place on 14 February 2005.
12. In addition, **AYYASH** used mobile phone 3831170 (Mobile 170) to communicate with **BADREDDINE**, on his mobile phones, regarding the **HAWI** and **EL-MURR** attacks. **AYYASH** used Mobile 170 from 7 January to 26 November 2005. From 28 March until 27 June 2005, including during the time relevant to the **HAWI** attack, **BADREDDINE** used mobile phone 3476683 (Mobile 683) in his communication with **AYYASH**. From 25 June until 28 September 2005, including during the time relevant to the **EL-MURR** attack, **BADREDDINE** used mobile phone 3121486 (Mobile 486) in his communication with **AYYASH**.

13. Between September 2004 and September 2005, **AYYASH** and **BADREDDINE** communicated through the following mobile phones:

	AYYASH	BADREDDINE
September 2004 – February 2005	Green 300	Green 023
March 2005	Mobile 170	Mobile 3103195 (Mobile 195)
March 2005 – June 2005		Mobile 683
June 2005 – September 2005		Mobile 486

14. Between 31 May 2004 and 13 January 2005, including during the time relevant to the **HAMADE** attack, **AYYASH** also used personal mobile phone 3523935 (PMP 935).

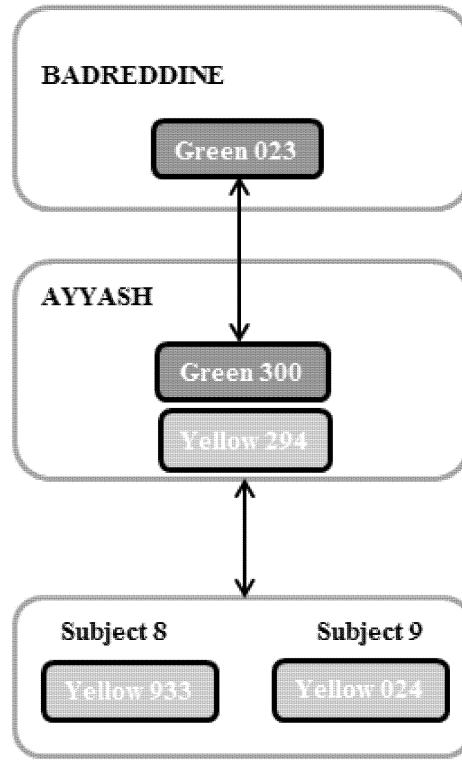
C. THE ATTACK AGAINST HAMADE

15. **HAMADE** was born on 11 September 1939 in Beirut, Lebanon. Between 1991 and 2004, **HAMADE** was a Member of Parliament and prominent political figure in Lebanon. Between 1980 and September 2004, he held several ministerial posts, including four in the governments led by **HARIRI** between October 1992 and October 2004. Among other positions, **HAMADE** served as Minister of Economy and Trade from 17 April 2003 until 9 September 2004. **HAMADE** was a political ally and personal friend of **HARIRI**.
16. In the months leading up to the attack, **HAMADE** publicly voiced his opposition to the Syrian presence in Lebanon and was amongst the Members of Parliament opposed to the extension of the mandate of then President **Émile LAHOUD (LAHOUD)**, which was supported by Syria.
17. **HAMADE** lived on Henry Ford Street in West Beirut. He had a bodyguard who accompanied him during the day. The Mercedes car **HAMADE** used in the days prior to the attack had no security features and was parked in the underground garage of his apartment building. In the days leading up to the attack, **HAMADE** routinely left his apartment between 07:45 and 10:30. [REDACTED] normally used the same route,

driving from his residential building along Henry Ford Street towards Avenue de Paris (Corniche).

18. **AYYASH**, together with others—including **BADREDDINE**, **Subject 8**, and **Subject 9**—agreed, between 27 September 2004 and the morning of 1 October 2004 prior to the attack, to detonate an explosive device in a public place to cause a state of terror and assassinate **HAMADE**.
19. **AYYASH**, with **BADREDDINE**, coordinated the preparation and execution of the attack against **HAMADE**, communicating by their **Green Network** phones **300** and **023**, respectively. **AYYASH** coordinated the preparation and execution also using his **Yellow Network** phone to coordinate the acts of **Subject 8** and **Subject 9**.
20. On 27 September 2004, in preparation of the attack, **AYYASH** resumed telephone contact (hereinafter “contact”) with **Subject 9** after an eleven-day break in their contact. Between 27 September and 1 October 2004, **AYYASH**, **Subject 8**, and **Subject 9** used their **Yellow Network** phones to communicate extensively with each other. After the attack on 1 October 2004, their contact decreased significantly. In addition, after the day of the attack, **AYYASH** had no contact with **Subject 8** until 8 October 2004 and no contact with **Subject 9** until 10 October 2004. After 1 October 2004, **AYYASH** and **BADREDDINE** were similarly not in contact until 4 October 2004.
21. **AYYASH**, using the **Yellow** and **Green** Networks, coordinated and participated in surveillance of **HAMADE**’s residence in the **Raja Saab Building** at the junction of **Henry Ford Street** and **Michel Dabaghi Street**, **West Beirut**; and the eventual location of the attack on **Henry Ford Street**. The purpose of the surveillance was to decide on the method, location, and time for the attack against him, and an exit route from the area. This activity took place on 29 and 30 September 2004 and on 1 October 2004. Further, **AYYASH** coordinated the execution of the attack against **HAMADE** on 1 October 2004.

22. The following diagram shows the specific phones used in the attack on HAMADE and general lines of communication between these phones:



23. **AYYASH** and **BADREDDINE** also used their **Green Network** phones in the subsequent attack against **HARIRI**. **AYYASH**, **Subject 8**, and **Subject 9** also used their **Yellow Network** phones in the preparation of the subsequent attack against **HARIRI**.

1. **AYYASH** Coordinated the Preparation of the Attack

24. **AYYASH** communicated with **Subject 8** and **Subject 9** before and during the surveillance, and with **BADREDDINE** following the surveillance. On 29 and 30 September 2004, **AYYASH** coordinated the surveillance of **HAMADE**'s residence and the eventual location of the attack, as follows:
- i. On 29 September 2004, **Subject 8** conducted surveillance after being in contact with **AYYASH**. While conducting surveillance, **Subject 8** was in contact with **Subject 9**, who had been in contact with **AYYASH** earlier that day. On that evening, **AYYASH** himself conducted surveillance.

- ii. On the morning of 30 September 2004, **AYYASH** and **Subject 9** surveilled HAMADE's residence and the eventual location of the attack and were in contact while there. Later that day, **AYYASH**, using **Green 300** for the first time, was in contact with BADREDDINE about the preparation for the attack.

2. **AYYASH** Coordinated the Execution of the Attack

25. From the late evening of 30 September 2004 to the early hours of 1 October 2004, **AYYASH**, together with BADREDDINE, coordinated the execution of the attack, including the placement of the vehicle borne improvised explosive device (VBIED), as follows:

- i. At 22:19, **AYYASH** contacted BADREDDINE on the **Green Network**.
- ii. Less than a minute later, **AYYASH**, on **Yellow 294**, contacted **Subject 9**. Approximately 45 minutes later, **Subject 9** contacted **AYYASH** on **Yellow 294**. At 00:44 and 00:45 on 1 October 2004, **AYYASH**, on **Yellow 294**, was again in contact with **Subject 9**.
- iii. At 01:12, about eight hours before the attack against HAMADE, **AYYASH** called BADREDDINE on the **Green Network**.
- iv. By 01:59, **AYYASH** conducted final surveillance of HAMADE's residence and of the location where the VBIED was later detonated. While there, **AYYASH** was contacted by BADREDDINE, both using their **Green Network** phones.
- v. **AYYASH** thereafter returned to South Beirut, where, at 02:13, he contacted BADREDDINE on the **Green Network** for a final time before the attack.
- vi. Between 02:39 and 05:26, **AYYASH**, on **Yellow 294**, was again in contact four times with **Subject 9**.
- vii. After 05:26, **AYYASH**, BADREDDINE, **Subject 8**, and **Subject 9** did not use their **Green** or **Yellow** Networks phones again until 09:19, a few minutes after the attack.

- viii. **AYYASH** switched off his PMP 935 from the afternoon of 30 September 2004 to the afternoon of 1 October 2004.
26. Sometime before 06:45, a Mercedes E300 car with explosives concealed in its rear (the VBIED), was parked on Henry Ford Street near a speed bump, at a short distance from HAMADE's residence.
27. At about 09:05, HAMADE met his [REDACTED], [REDACTED], and his bodyguard, Ghazi ABOU-KARROUM (ABOU-KARROUM) in the underground car park of HAMADE's residence. They entered HAMADE's Mercedes car and [REDACTED] onto Henry Ford Street. HAMADE was seated in the front passenger seat, whilst ABOU-KARROUM was seated in the back seat.
28. Between 09:11 and 09:13, the explosives concealed in the parked Mercedes were remotely detonated as HAMADE's car passed it. The explosion killed ABOU-KARROUM and severely injured HAMADE and [REDACTED]. It also caused damage to nearby vehicles and surrounding buildings.
29. The explosion took place on a public street during daylight hours.
30. Minutes after the attack, **AYYASH** communicated with BADREDDINE at 09:19 and with **Subject 8** at 09:25, while travelling southwards as he moved away from the crime scene. One minute earlier, at 09:24, **Subject 8** had contacted **Subject 9**.

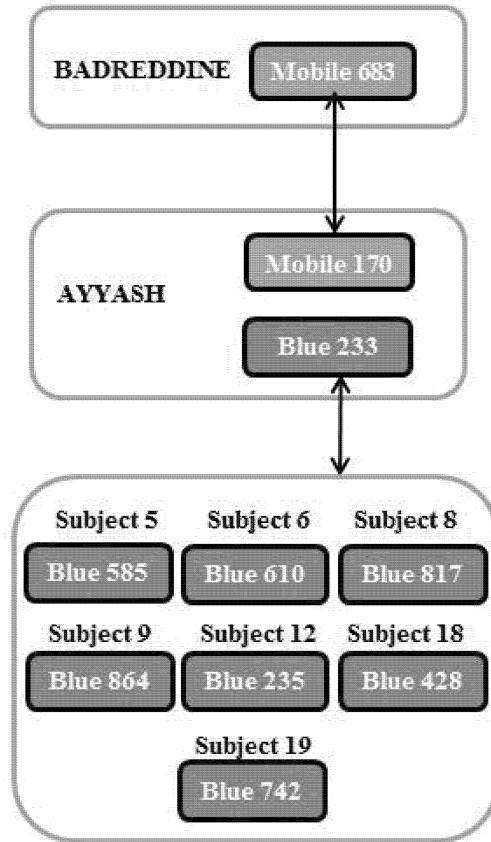
D. THE ATTACK AGAINST HAWI

31. HAWI was born on 5 November 1938 in Beirut, Lebanon. From approximately 1978 to 1994, he was Secretary-General of the Communist Party in Lebanon, and he remained an influential political figure in Lebanon until the time of his death in 2005.
32. After HARIRI's assassination and in the months leading up to his own assassination, HAWI sought to unify the Lebanese opposition against Syrian influence, calling for the withdrawal of Syrian troops and the replacement of then President LAHOUD.
33. HAWI lived on Jabal Al-Arab Street, in the Wata-El-Msaitbeh area of Beirut. He did not have an office but regularly used the nearby Gondole café for meetings. HAWI had no security measures in place. His Mercedes car was parked in the street outside his building, and he normally used the same route when leaving his immediate

neighbourhood. [REDACTED] usually alternated in accompanying him during the day.

34. **AYYASH**, together with others—including **BADREDDINE**, **Subject 5**, **Subject 6**, **Subject 8**, **Subject 9**, **Subject 12**, **Subject 18**, and **Subject 19**—agreed, between 22 May and the morning of 21 June 2005 prior to the attack, to detonate an explosive device in a public place to cause a state of terror and assassinate **HAWI**.
35. **AYYASH**, with **BADREDDINE**, coordinated the preparation and execution of the attack against **HAWI**, communicating by their mobile phones, Mobiles 170 and 683, respectively. **AYYASH** also coordinated the preparation and execution of the attack using his **Blue Network** phone to coordinate the acts of seven **Blue Network** phone users.
36. On 22 May 2005, in preparation of the attack against **HAWI**, **AYYASH** resumed his phone communication with **BADREDDINE**, after a ten-day break in their contact. Between 22 May and the day of the attack on 21 June 2005, **AYYASH** and **BADREDDINE** were in contact 36 times. The activity of the **Blue Network** phones also intensified in this same period and decreased after 21 June 2005. After 21 June, **AYYASH** and **BADREDDINE** were not in contact until 25 June 2005.
37. **AYYASH**, using the **Blue Network** and his Mobile 170, coordinated and participated in surveillance of **HAWI**'s residence in the Saidi Building, 6th Floor, Jabal Al-Arab Street, Wata-El-Msaitbeh, Beirut; the eventual location of the attack on Habib Abi Chahla Street, near the Zouhairi service station, in Wata-El-Msaitbeh; and the Gondole café frequented by **HAWI**, in Corniche Al Mazraa. The purpose of the surveillance was to learn **HAWI**'s routine and to decide on the method, location, and time for the attack against him, and an exit route from the area. This activity took place on at least 13 days between 2 June and 20 June 2005. **AYYASH** himself conducted surveillance of **HAWI**'s residence on multiple days, including 12, 13, 14, 15, and 17 June 2005. Further, **AYYASH** coordinated the execution of the attack against **HAWI** on 21 June 2005.

38. The following diagram shows the specific phones used in the attack on HAWI, including the **Blue Network** phones, the unidentified subject users and the general lines of communication between these phones:



39. **AYYASH**, **Subject 5**, **Subject 6**, **Subject 8**, and **Subject 9** also used their **Blue Network** phones in the preceding attack against HARIRI, and in the subsequent attack against EL-MURR. **AYYASH** also used **Mobile 170** for his communication with **BADREDDINE** in the attack against EL-MURR.

1. **AYYASH** Coordinated the Preparation of the Attack

40. **AYYASH** communicated with **BADREDDINE**, **Subject 6**, and other **Blue Network** users involved in the surveillance, before, during, and after the surveillance took place.

41. Between 2 and 8 June 2005, **AYYASH** coordinated the surveillance, as follows, in particular:

- i. On 4 June 2005, **AYYASH** contacted **BADREDDINE**. His next call was to **Subject 6**. **Subject 6** had been in contact with **Subject 8** and **Subject 9** who conducted surveillance on 2, 3, and 4 June 2005, including during the surveillance.
 - ii. On 6 June 2005, **AYYASH** contacted **Subject 6** after **Subject 6** had conducted surveillance, and **Subject 8** shortly after. One minute after the call with **Subject 8**, **AYYASH** received a call from **BADREDDINE**.
 - iii. On 8 June 2005, **AYYASH** contacted **Subject 6**, who had been in contact with **Subject 9** during and after **Subject 9**'s surveillance on 7 June 2005. **Subject 9** also conducted surveillance on 8 June 2005. On this day **AYYASH** also contacted **Subject 18**, their first contact since 24 May 2005, initiating a period of increased activity between them in the days preceding the attack.
42. Between 10 and 17 June 2005, **AYYASH** coordinated the surveillance, in particular, as follows:
- i. On 10 June 2005, **AYYASH** exchanged calls with **Subject 18** while **Subject 18** was conducting surveillance together with **Subject 19**. Before and after these calls, **AYYASH** contacted **BADREDDINE**.
 - ii. On 12 June 2005, **AYYASH** contacted **BADREDDINE** and **Subject 18**. Approximately one and a half hours later, **Subject 18** and **Subject 19** conducted surveillance. Later that day, **AYYASH** contacted **BADREDDINE** while conducting surveillance.
 - iii. On 13 June 2005, **AYYASH** communicated with **Subject 6** and **Subject 19** as they all conducted surveillance. Shortly before concluding the surveillance on that day, **AYYASH** contacted **BADREDDINE**.
 - iv. On 14 June 2005, **AYYASH** contacted **BADREDDINE** after conducting surveillance.
 - v. On 15 June 2005, **AYYASH** was in contact with **Subject 12** before and while they were both conducting surveillance. At the end of that day, **AYYASH** contacted **BADREDDINE**.

- vi. On 17 June 2005, **AYYASH** was in contact with **Subject 6** while they were both conducting surveillance, and with **BADREDDINE** shortly after.

- 43. On 20 June 2005, the day before the attack, there was a peak in **Blue Network** phone activity. **AYYASH** coordinated the surveillance, as follows:
 - i. **AYYASH** communicated with **Subject 8**, while **Subject 8** conducted surveillance. During the surveillance, **Subject 8** also communicated with **Subject 6**. **Subject 5**, who had been in contact with **Subject 8** after **Subject 8** concluded surveillance, also surveilled **HAWI**'s residence later that day, and communicated with **Subject 9** while doing so. The last surveillance took place at 23:18 by **Subject 6**, who received a call by **Subject 18** while conducting surveillance. **Subject 6** had also been in contact with **Subject 8** after **Subject 8** concluded the surveillance earlier that day.

2. **AYYASH** Coordinated the Execution of the Attack

- 44. In the early hours of 21 June 2005, **AYYASH**, with **BADREDDINE**, coordinated the execution of the attack, in particular:
 - i. Between 01:43 and 01:47, **Subject 12** called **Subject 18** and was in contact twice with **AYYASH**, on **Blue 233**.
 - ii. Between approximately 02:00 and 02:30, **HAWI** reached his residence and parked his Mercedes car on the street nearby.
 - iii. At 02:45 and 03:14, **AYYASH** on Mobile 170 called **BADREDDINE** on Mobile 683. Immediately after, at 03:17, **AYYASH**, on **Blue 233**, called **Subject 6**. Later that morning, at 07:21, **Subject 8** called **Subject 5**. At 07:33, **Subject 6** called **Subject 8**.
 - iv. From 07:33 until shortly after the attack, **AYYASH**, **BADREDDINE**, and the users of the **Blue Network** phones were not in contact.
 - v. **AYYASH** did not use his Mobile 170 from 03:14 to 10:39 on 21 June 2005.

45. Sometime after 02:00-02:30, when HAWI parked his car, and before 09:45, an improvised explosive device (IED) was attached underneath the front passenger seat of HAWI's car.
46. At about 09:45, HAWI's [REDACTED] met HAWI near HAWI's residence and they departed in HAWI's car. [REDACTED] and HAWI was seated in the front passenger seat.
47. At approximately 09:48, the IED under HAWI's car was remotely detonated near the Zouhairi service station, approximately 200 metres from HAWI's residence. The explosion killed HAWI, and caused injuries [REDACTED]. The explosion also injured [REDACTED], [REDACTED].
48. The explosion took place on a public street during daylight hours.
49. Twenty minutes after the attack, **AYYASH**'s next call activity was a call to **Subject 12** at 10:08. **AYYASH** also called **BADREDDINE** at 10:53.

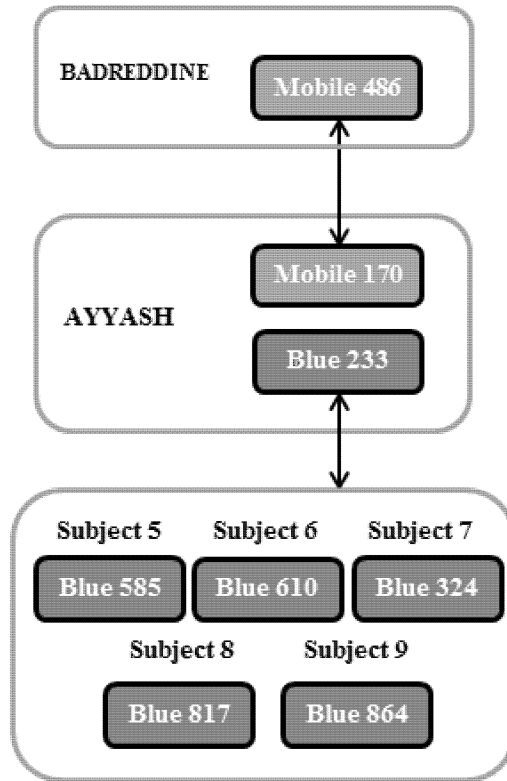
E. THE ATTACK AGAINST EL-MURR

50. EL-MURR was born on 30 January 1962 in Bteghrine, northern Metn, Lebanon. From 1982 until 1996, he was Mayor of Bteghrine. EL-MURR was a prominent political figure and, between 2000 and July 2005, held a number of ministerial posts in Lebanon, including in the HARIRI governments from 2000 to 2004. At the time EL-MURR was attacked, he was Minister of Defence and Deputy Prime Minister.
51. In the months leading up to his attack, EL-MURR was opposed to the continuing Syrian presence in Lebanon.
52. Until 30 June 2005, EL-MURR [REDACTED], [REDACTED]. On 1 July 2005, EL-MURR [REDACTED]. On weekdays routinely between approximately 09:45 and 11:00, EL-MURR travelled [REDACTED], [REDACTED]. [REDACTED], EL-MURR's regular route of travel [REDACTED] was via 2nd Avenue. EL-MURR used to park his cars off the street in a secure location.
53. **AYYASH**, together with others—including **BADREDDINE**, **Subject 5**, **Subject 6**, **Subject 7**, **Subject 8**, and **Subject 9**—agreed, between 28 June and the morning of 12

July 2005 prior to the attack, to detonate an explosive device in a public place to cause a state of terror and assassinate EL-MURR.

54. The Mitsubishi car used as the VBEID was purchased in Tripoli between 6 March and 16 May 2005.
55. **AYYASH**, with **BADREDDINE** coordinated the preparation and execution of the attack against EL-MURR, communicating by their Mobiles 170 and 486, respectively. **AYYASH** coordinated the preparation using his **Blue Network** phone to coordinate the acts of five **Blue Network** phones users. Further, **AYYASH** coordinated the users of the **Blue Network** in the execution of the attack.
56. On 28 June 2005, in preparation of the attack against EL-MURR, **AYYASH** contacted **Subject 6** immediately after having contacted **BADREDDINE**. After the phone contact between **AYYASH** and **BADREDDINE**, the call activity of the **Blue Network** phones increased. After the day of the attack on 12 July 2005, the activity of the **Blue Network** phones decreased. Similarly, the contact between **AYYASH** and **BADREDDINE** declined significantly after the attack on EL-MURR.
57. **AYYASH**, using the **Blue Network** and Mobile 170, and through communication with **Subject 6**, coordinated surveillance of EL-MURR's movements, and of EL-MURR's travel routes [REDACTED], in particular the route of access to [REDACTED], and the eventual location of the attack on 2nd Avenue near Antelias Mixed Public School, north-east of Beirut. The purpose of the surveillance was to learn EL-MURR's routine and to decide on the method, location, and time for the attack against him, and an exit route from the area. This activity took place between 29 June and 8 July 2005. Further, **AYYASH** coordinated the execution of the attack against EL-MURR on 12 July 2005.

58. The following diagram shows the specific phones used in the attack on EL-MURR, including the **Blue Network** phones, and general lines of communication between these phones:



1. AYYASH Coordinated the Preparation of the Attack

59. Before EL-MURR [REDACTED], **AYYASH** coordinated the surveillance of EL-MURR, and of the locations relevant to the attack—including the eventual location of the attack on 2nd Avenue—through his communication with **Subject 6** before, during, and after surveillance took place, as follows:

- i. On 29 June 2005, **AYYASH** coordinated surveillance of EL-MURR, carried out by **Subject 6**, **Subject 8**, and **Subject 9**, as EL-MURR [REDACTED], [REDACTED]. **AYYASH** remained in contact with **Subject 6** and with **BADREDDINE** before, during, and after [REDACTED] and the surveillance. **Subject 6**, **Subject 8**, and **Subject 9** maintained contact with each other while carrying out surveillance.

- ii. On 30 June 2005, **AYYASH** contacted **Subject 6** while **Subject 6** was carrying out surveillance of the locations relevant to the attack, including the eventual location of the attack. During the surveillance, **Subject 6** contacted **Subject 8**. **Subject 8** contacted **Subject 9** immediately thereafter. **Subject 6**, **Subject 8**, and **Subject 9** were all carrying out surveillance. Around that time, **Subject 5** and **Subject 7** were [REDACTED], [REDACTED]. **Subject 5** was in contact with **Subject 9** and **Subject 7** was in contact with **Subject 8**. In the evening, **AYYASH** was again in contact with **Subject 6**.
 - iii. On 1 July 2005, early in the morning, **Subject 5**, **Subject 8**, and **Subject 9** were in contact while travelling [REDACTED], [REDACTED], as part of the surveillance operation on EL-MURR. Later that morning, **Subject 6** contacted **Subject 8** while they were both conducting surveillance.
60. **AYYASH**, through his communication with **Subject 6** before, during, and after surveillance took place, also coordinated the surveillance of the locations relevant to the attack—including the eventual location of the attack on 2nd Avenue—while EL-MURR was travelling to [REDACTED], as follows:
 - i. On 4 July 2005, EL-MURR travelled [REDACTED] between approximately 10:15 and 10:46. At 10:40, **Subject 8** was in contact with **Subject 6** while conducting surveillance of EL-MURR's travel routes, in particular [REDACTED] and of the eventual location of the attack. Shortly after, **Subject 6** also conducted surveillance. **AYYASH** was in contact with **Subject 6** at the end of the day.
 - ii. On 5 July 2005, EL-MURR travelled [REDACTED] between approximately 10:00 and 10:27. Shortly thereafter, **Subject 5** and **Subject 7** were in contact while travelling [REDACTED], travelling away from the crime scene after conducting surveillance. **Subject 6**, who had been in contact several times with **AYYASH** on that morning, also travelled [REDACTED]. **AYYASH**, who had also been in contact with BADREDDINE in the early afternoon, called **Subject 6** again at the end of the day.
 - iii. On 6 July 2005, EL-MURR travelled [REDACTED] between approximately 09:45 and 10:14. Shortly thereafter, **Subject 8** and **Subject 5** were in contact while conducting surveillance of EL-MURR's travel routes, in [REDACTED] and

the eventual location of the attack. During the surveillance, **Subject 8** was in contact with **Subject 6**. Earlier that morning, **Subject 8**, while conducting surveillance of the eventual location of the attack together with **Subject 5**, had contacted **Subject 6**, who was [REDACTED]. **Subject 7** also conducted surveillance and was in contact with **Subject 8**. In the evening and at night, **AYYASH** was in contact with **BADREDDINE**. **AYYASH** and **BADREDDINE** were also in contact twice the following day, 7 July 2005.

- iv. On 8 July 2005, **EL-MURR** travelled [REDACTED] between approximately 10:30 and 11:05. By 11:09, **Subject 8** and **Subject 9** were [REDACTED], and moving away after conducting surveillance of **EL-MURR**'s travel routes. While travelling southwards, **Subject 8** contacted **Subject 6** twice. On both occasions, **Subject 6** contacted **AYYASH** and **Subject 8** immediately after. In the afternoon, **Subject 5**, **Subject 7**, and **Subject 8** were all [REDACTED] and in contact with each other, as part of the surveillance operation related to the attack on **EL-MURR**. During this activity, **Subject 6** was in contact with **Subject 8**. Immediately after the contact with **AYYASH**, **Subject 6** contacted **Subject 8** again.

2. **AYYASH** Coordinated the Execution of the Attack

61. From the late afternoon of 11 July 2005 to the early hours of 12 July 2005, **AYYASH**, with **BADREDDINE** and **Subject 6**, coordinated the execution of the attack, as follows:
 - i. On 11 July 2005, **AYYASH** was in contact with **Subject 6** twice at 17:00 and 21:54. This was the last phone activity of the **Blue Network** phones involved in the surveillance operation before the attack.
 - ii. At 23:37 on 11 July 2005, **AYYASH**, on Mobile 170, contacted **BADREDDINE**, on Mobile 486, from the El-Hadath area of South Beirut. At 00:37 on 12 July 2005, **BADREDDINE**, who since their previous call had moved from Jounieh to the El-Hadath area of South Beirut, called **AYYASH** back. This was their last phone contact before the attack.
 - iii. **AYYASH** did not use his Mobile 170 from 00:37 to 13:20 on 12 July 2005.

62. Sometime after 07:00 on 12 July 2005, the VBIED, a Mitsubishi car with explosives concealed in its rear, was parked on 2nd Avenue near the speed bump.
63. At about 09:50 on 12 July 2005, EL-MURR [REDACTED], [REDACTED], [REDACTED]. EL-MURR was accompanied by [REDACTED], [REDACTED] and his [REDACTED], [REDACTED].
64. At about 10:18 on 12 July 2005, while EL-MURR was driving along 2nd Avenue in Rabieh, the explosives concealed in the parked Mitsubishi were remotely detonated as he approached it. The explosion struck a Mercedes car driven by Khaled MOURA (MOURA), who was passing by at that time, and the front of EL-MURR's car. The explosion killed MOURA, and severely injured EL-MURR, [REDACTED], and [REDACTED]. In addition to [REDACTED] and [REDACTED], twelve other persons were injured (listed in Schedule C), and nearby vehicles and buildings were damaged.
65. The explosion took place on a public street during daylight hours.

IV. THE COUNTS

66. WHEREFORE, pursuant to Rule 68(D) of the Rules of Procedure and Evidence of the Special Tribunal for Lebanon, the Prosecutor charges **SALIM JAMIL AYYASH** with the following counts:

COUNT ONE

Statement of Offence

67. **Conspiracy aimed at committing a Terrorist Act,**
- a. pursuant to Articles 188, 212, 213, 270, and 314 of the Lebanese Criminal Code,
 - b. Articles 6 and 7 of the Lebanese Law of 11 January 1958 on ‘Increasing the penalties for sedition, civil war and interfaith struggle’, and
 - c. Article 3(1)(a) of the Statute of the Special Tribunal for Lebanon.

Particulars of Offence

68. **SALIM JAMIL AYYASH,**

(1) In relation to the attack on 1 October 2004 against Marwan HAMADE:

- a. Between 27 September and 1 October 2004 prior to the attack on Marwan HAMADE,
- b. together with Mustafa Amine BADREDDINE and unidentified participants,
- c. agreed to detonate an explosive device in a public place to cause a state of terror and to kill Marwan HAMADE, the former Minister for Economy and Trade in Lebanon and prominent political figure, and
- d. thereby conspired to commit a terrorist act against state security;

(2) In relation to the attack on 21 June 2005 against Georges HAWI:

- a. Additionally and separately, between 22 May and 21 June 2005 prior to the attack on Georges HAWI,
- b. together with BADREDDINE and unidentified participants,

- c. agreed to detonate an explosive device in a public place to cause a state of terror and to kill Georges HAWI, the former Secretary-General of the Lebanese Communist Party and prominent political figure, and
- d. thereby conspired to commit a terrorist act against state security; and

(3) In relation to the attack on 12 July 2005 against Elias EL-MURR:

- a. Additionally and separately, between 28 June and 12 July 2005 prior to the attack on Elias EL-MURR,
- b. together with BADREDDINE and unidentified participants,
- c. agreed to detonate an explosive device in a public place to cause a state of terror and to kill Elias EL-MURR, the Minister of Defence, Deputy Prime Minister, and prominent political figure, and
- d. thereby conspired to commit a terrorist act against state security.

Alternatively (with respect to each separate Conspiracy aimed at committing a terrorist act) to Count One

COUNT TWO

Statement of Offence

69. Criminal Association,

- a. pursuant to Articles 188, 212, 213, and 335 of the Lebanese Criminal Code, and
- b. Article 3(1)(a) of the Statute of the Special Tribunal for Lebanon.

Particulars of Offence

70. SALIM JAMIL AYYASH,

(1) In relation to the attack on 1 October 2004 against Marwan HAMADE:

- a. Between 27 September and 1 October 2004 prior to the attack on Marwan HAMADE,

- b. together with BADREDDINE and unidentified participants,
- c. agreed to commit one or more felonies against persons or property, and/or one or more felonies to undermine the authority of the State, and
- d. thereby took part in the creation of, or joined, a criminal association;

(2) In relation to the attack on 21 June 2005 against Georges HAWI:

- a. Additionally and separately, between 22 May and 21 June 2005 prior to the attack on Georges HAWI,
- b. together with BADREDDINE and unidentified participants,
- c. agreed to commit one or more felonies against persons or property, and/or one or more felonies to undermine the authority of the State, and
- d. thereby took part in the creation of, or joined, a criminal association; and

(3) In relation to the attack on 12 July 2005 against Elias EL-MURR:

- a. Additionally and separately, between 28 June and 12 July 2005 prior to the attack on Elias EL-MURR,
- b. together with BADREDDINE and unidentified participants,
- c. agreed to commit one or more felonies against persons or property, and/or one or more felonies to undermine the authority of the State, and
- d. thereby took part in the creation of, or joined, a criminal association.

COUNT THREE

Statement of Offence

71. Committing a Terrorist Act,

- a. pursuant to Articles 188, 212, 213, and 314 of the Lebanese Criminal Code,
- b. Article 6 of the Lebanese Law of 11 January 1958 on ‘Increasing the penalties for sedition, civil war and interfaith struggle’, and

- c. Article 3(1)(a) of the Statute of the Special Tribunal for Lebanon.

Particulars of Offence

72. **SALIM JAMIL AYYASH,**

(1) In relation to the attack on 1 October 2004 against Marwan HAMADE:

- a. on 1 October 2004, between 09:11 and 09:13, on Henry Ford Street, Beirut, Lebanon,
- b. intending to cause a state of terror,
- c. knowingly brought into being the constituent elements of the offence or participated directly in the commission of an attack by an explosive device in a public place in an attempt to kill the former Minister for Economy and Trade in Lebanon, and prominent public figure, Marwan HAMADE, and
- d. thereby bears individual criminal responsibility as a co-perpetrator for committing a terrorist act by means of an explosive device,
- e. and, as an aggravating circumstance, the terrorist act caused the death of Ghazi ABOU-KARROUM;

(2) In relation to the attack on 21 June 2005 against Georges HAWI:

- a. Additionally and separately, on 21 June 2005, at approximately 09:48, near the Zouhairi service station in the Wata-El-Msaitbeh district, Beirut, Lebanon,
- b. intending to cause a state of terror,
- c. knowingly brought into being the constituent elements of the offence or participated directly in the commission of an attack by an explosive device in a public place in order to kill Georges HAWI, the former Secretary-General of the Lebanese Communist Party, and prominent political figure, and
- d. thereby bears individual criminal responsibility as a co-perpetrator for committing a terrorist act by means of an explosive device,

- e. and, as an aggravating circumstance, the terrorist act caused the death of Georges HAWI; and

(3) In relation to the attack on 12 July 2005 against Elias EL-MURR:

- a. Additionally and separately, on 12 July 2005, at approximately 10:18, on 2nd Avenue near Antelias Mixed Public School, north of Beirut, Lebanon,
- b. intending to cause a state of terror,
- c. knowingly brought into being the constituent elements of the offence or participated directly in the commission of an attack by an explosive device in a public place in an attempt to kill Elias EL-MURR the Minister of Defence, Deputy Prime Minister, and prominent political figure, and
- d. thereby bears individual criminal responsibility as a co-perpetrator for committing a terrorist act by means of an explosive device,
- e. and, as an aggravating circumstance, the terrorist act caused the death of Khaled MOURA.

COUNT FOUR

Statement of Offence

73. **Intentional Homicide with premeditation** (of Ghazi ABOU-KARROUM, Georges HAWI, and Khaled MOURA),
- a. pursuant to Articles 188, 189, 212, 213, 547, 549(1), and 549(7) of the Lebanese Criminal Code, and
 - b. Article 3(1)(a) of the Statute of the Special Tribunal for Lebanon.

Particulars of Offence

74. **SALIM JAMIL AYYASH,**

(1) In relation to the attack on 1 October 2004 against Marwan HAMADE:

- a. on 1 October 2004, between 09:11 and 09:13, on Henry Ford Street in Beirut, Lebanon,

- b. either intending to kill other passengers in Marwan HAMADE's car, or
- c. foreseeing and accepting the risk that other passengers in the car would be killed,
- d. knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence that caused Ghazi ABOU-KARROUM's death, and
- e. thereby bears individual criminal responsibility as a co-perpetrator for the intentional homicide with premeditation of Ghazi ABOU-KARROUM, and
- f. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device;

(2) In relation to the attack on 21 June 2005 against Georges HAWI:

- a. Additionally and separately, on 21 June 2005, at approximately 09:48, near the Zouhairi service station in the Wata-El-Msaitbeh district, Beirut, Lebanon,
- b. acting with intent to cause Georges HAWI's death, knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence that caused HAWI's death, and
- c. thereby bears individual criminal responsibility as a co-perpetrator for the intentional homicide with premeditation of Georges HAWI, and
- d. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device;

(3) In relation to the attack on 12 July 2005 against Elias EL-MURR:

- a. Additionally and separately, on 12 July 2005, at approximately 10:18, on 2nd Avenue near Antelias Mixed Public School, north of Beirut, Lebanon,
- b. either intending to kill other persons in the immediate vicinity, or

- c. foreseeing and accepting the risk that other persons in the immediate vicinity would be killed,
- d. knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence that caused Khaled MOURA's death, and
- e. thereby bears individual criminal responsibility as a co-perpetrator for the intentional homicide with premeditation of Khaled MOURA, and
- f. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device.

COUNT FIVE

Statement of Offence

75. **Attempted Intentional Homicide with premeditation** of Elias EL-MURR, Marwan HAMADE, and 17 persons named in Schedules A, B, and C,
- a. pursuant to Articles 188, 189, 201, 212, 213, 547, 549(1), and 549(7) of the Lebanese Criminal Code, and
 - b. Article 3(1)(a) of the Statute of the Special Tribunal for Lebanon.

Particulars of Offence

76. **SALIM JAMIL AYYASH,**

(1) In relation to the attack on 1 October 2004 against Marwan HAMADE:

- a. on 1 October 2004, between 09:11 and 09:13, on Henry Ford Street, Beirut, Lebanon,
- b. acting with intent to cause Marwan HAMADE's death, knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence, but failed to cause Marwan HAMADE's death due to circumstances beyond his control or the control of the co-perpetrators, and

- c. thereby bears individual criminal responsibility as a co-perpetrator for the attempted intentional homicide with premeditation of Marwan HAMADE, and
- d. these acts were undertaken in the following aggravating circumstances:
 - i. premeditation, and
 - ii. bringing about the detonation of an explosive device; and
- e. Additionally and separately, on 1 October 2004, between 09:11 and 09:13, on Henry Ford Street in Beirut, Lebanon,
- f. either intending to kill other passengers in Marwan HAMADE's car, or
- g. foreseeing and accepting the risk that other passengers in the car would be killed,
- h. knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence but failed to reach the intended result, or foreseen and accepted risk, of killing other passengers in the car due to circumstances beyond his control or the control of the co-perpetrators, and
- i. thereby bears individual criminal responsibility as a co-perpetrator for the attempted intentional homicide with premeditation of one person as named in Schedule A, and,
- j. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device;

(2) In relation to the attack on 21 June 2005 against Georges HAWI:


- a. Additionally and separately, on 21 June 2005, at approximately 09:48, near the Zouhairi service station in the Wata-El-Msaitbeh district, Beirut, Lebanon,
- b. either intending to kill other passengers in the car and persons in the immediate vicinity,

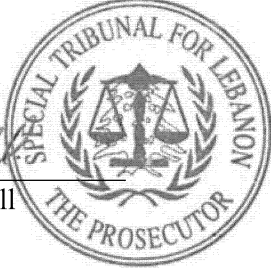
- c. or foreseeing and accepting the risk that other passengers in the car and persons in the immediate vicinity would be killed,
- d. knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence but failed to reach the intended result, or foreseen and accepted risk, of killing other passengers in the car and persons in the immediate vicinity due to circumstances beyond his control or the control of the co-perpetrators, and
- e. thereby bears individual criminal responsibility as a co-perpetrator for the attempted intentional homicide with premeditation of two persons as named in Schedule B, and
- f. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device;

(3) In relation to the attack on 12 July 2005 against Elias EL-MURR:

- a. Additionally and separately, on 12 July 2005, at approximately 10:18, on 2nd Avenue near Antelias Mixed Public School, north of Beirut, Lebanon,
- b. acting with intent to cause Elias EL-MURR's death, knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence, but failed to cause Elias EL-MURR's death due to circumstances beyond his control or the control of the co-perpetrators, and
- c. thereby bears individual criminal responsibility as a co-perpetrator for the attempted intentional homicide with premeditation of Elias EL-MURR, and
- d. these acts were undertaken in the following aggravating circumstances:
 - (1) premeditation, and
 - (2) bringing about the detonation of an explosive device; and
- e. Additionally and separately, on 12 July 2005, at approximately 10:18, on 2nd Avenue near Antelias Mixed Public School, north of Beirut, Lebanon,

- f. either intending to kill other passengers in the car and persons in the immediate vicinity, or
- g. foreseeing and accepting the risk that other passengers in the car and persons in the immediate vicinity would be killed,
- h. knowingly brought into being the constituent elements of the offence or participated directly in the commission of the offence, but failed to reach the intended result, or foreseen and accepted risk, of killing other passengers in the car or persons in the immediate vicinity due to circumstances beyond his control or the control of the co-perpetrators, and
- i. thereby bears individual criminal responsibility as a co-perpetrator for the attempted intentional homicide with premeditation of 14 persons, as named in Schedule C, and
- j. these acts were undertaken in the following aggravating circumstances:
 - (1). premeditation, and
 - (2). bringing about the detonation of an explosive device.


Norman Farrell
Prosecutor



This 14th day of June 2019,
Leidschendam, The Netherlands

7,245
Word Count

SCHEDULE A

Below is listed one person intentionally or foreseeably injured as a direct consequence of the public explosion intended to assassinate Marwan HAMADE and who, as alleged in Count 5, was subject to attempted intentional homicide with premeditation.

	Last Name	First Name(s)	Father's Name
1	[REDACTED]	[REDACTED]	[REDACTED]

SCHEDULE B

Below is an alphabetical list of two persons intentionally or foreseeably injured as a direct consequence of the public explosion intended to assassinate Georges HAWI and who, as alleged in Count 5, were subject to attempted intentional homicide with premeditation.

	Last Name	First Name(s)	Father's Name
1	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]

SCHEDULE C

Below is an alphabetical list of 14 persons intentionally or foreseeably injured as a direct consequence of the public explosion intended to assassinate Elias EL-MURR and who, as alleged in Count 5, were subject to attempted intentional homicide with premeditation.

	Last Name	First Name(s)	Father's Name
1	[REDACTED]	[REDACTED]	[REDACTED]
2	[REDACTED]	[REDACTED]	[REDACTED]
3	[REDACTED]	[REDACTED]	[REDACTED]
4	[REDACTED]	[REDACTED]	[REDACTED]
5	[REDACTED]	[REDACTED]	[REDACTED]
6	[REDACTED]	[REDACTED]	[REDACTED]
7	[REDACTED]	[REDACTED]	[REDACTED]
8	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]
11	[REDACTED]	[REDACTED]	[REDACTED]
12	[REDACTED]	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]	[REDACTED]
14	[REDACTED]	[REDACTED]	[REDACTED]

ANNEX I: GLOSSARY

Term	Definition
Attribution	Attribution of a phone is the association of that phone with use by a particular person or entity during a particular period of time (defined as the attribution period).
Coverttness	Phones have covert characteristics when the user or users employ techniques to avoid being identified.
IED	Improvised Explosive Device.
Mobile	A Mobile is a phone mostly used to contact non-personal contacts, e.g. professional associates.
Personal Mobile Phone	A Personal Mobile Phone is a phone mostly used to contact personal contacts, e.g. family members.
Phone Network	A group of phones with a high frequency of contact between the phones within that group.
VBIED	Vehicle Borne Improvised Explosive Device.

ANNEX II: TABLE OF PHONE NETWORKS

The table below sets out a list of relevant **Yellow Network**, **Blue Network**, and **Green Network** phones used by **AYYASH**, **BADREDDINE**, and unidentified participants in the attacks against **HAMADE**, **HAWI**, **EL-MURR**, and **HARIRI**.

	Yellow Network	Green Network	Blue Network
AYYASH	3205294 Yellow 294	3159300 Green 300	3071233 Blue 233 3067322 ² Blue 322
BADREDDINE		3140023 Green 023	
Subject 5			3043585 Blue 585
Subject 6	3345457 Yellow 457		3197610 Blue 610
Subject 7			3067324 Blue 324
Subject 8	3971933 Yellow 933		3197817 Blue 817
Subject 9	3712024 Yellow 024		3198864 Blue 864
Subject 12			3071235 Blue 235
Subject 18			3193428 Blue 428
Subject 19			3196742 Blue 742

² **Blue 322** is attributed to **AYYASH** from 18 October to 27 December 2004.

