



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

Salim Jamil Ayyash

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;
- Committing a terrorist act by means of an explosive device;
- Intentional homicide of Rafik Hariri with premeditation by using explosive materials;
- Intentional homicide of 21 other persons with premeditation by using explosive materials;
- 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)

<i>Date of birth</i>	10 November 1963
<i>Place of birth</i>	Harouf, Lebanon
<i>Nationality</i>	Lebanese
<i>Confirmation of the indictment</i>	28 June 2011
<i>Arrest warrant</i>	Delivered confidentially to the Lebanese authorities on 28 June 2011 and, most recently, on 9 August 2013, and 31 October 2016. International arrest warrant issued on 8 July 2011 and, more recently, on 9 August 2013, and 11 October 2016.
<i>Current situation</i>	Mr Ayyash remains at large. On 1 February 2012, the STL Trial Chamber decided to try Mr Ayyash and the three other Accused in the <i>Ayyash et al.</i> case <i>in absentia</i> .
<i>Date of commencement of trial</i>	16 January 2014

Alleged criminal acts

The indictment states that the former Lebanese Prime Minister Rafiq 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 Rafiq Hariri, the explosion killed 21 other persons and injured 226.

Mr Ayyash is accused of having participated in a conspiracy with others aimed at committing a terrorist act to assassinate

Rafik Hariri. It is further alleged by the Prosecutor that Mr Ayyash coordinated the physical perpetration of the attack and, together with former Accused Mustafa Amine Badreddine (reportedly deceased), the surveillance of Rafik Hariri prior to the bombing. Mr Ayyash is accused of having played a role in preparing the false claim of responsibility which aimed to shield the real conspirators, and to have purchased the van used in carrying out the attack.

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](#) against Messrs Ayyash, Badreddine, Oneissi and Sabra submitted by the Prosecutor on 17 January 2011.

30 June 2011 - The indictment is transmitted to the Lebanese authorities, who have an obligation to report on the measures taken in searching for, arresting, detaining and transferring the Accused to the seat of the Tribunal within 30 days. Reporting obligations are ongoing.

8 July 2011 - **International arrest warrants** are issued against the four Accused, including Mr Ayyash. Subsequent international arrest warrants have been issued on 9 August 2013 following the amendment of the indictment.

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*.

2 February 2012 - The Head of the Defence Office *assigns* 8 counsel to represent the interest and rights of the four Accused.

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

21 February 2013 - The Pre-Trial Judge *vacates* 25 March 2013 as a tentative date for the start of trial. The decision is in response to the Defence Counsel for the four Accused *asking* the Pre-Trial Judge to postpone the trial date. The Pre-Trial Judge finds that certain disclosure obligations have not been met, which the Prosecution *recognises*.

28 October 2013 - The Pre-Trial Judge completes the transfer of the entire *Ayyash et al.* case to the Trial Chamber, marking the start of transition from the pre-trial to trial phase.

16 January 2014 - The *Ayyash et al.* trial starts.

11 February 2014 - The case against Hassan Habib Merhi is joined to the *Ayyash et al.* case.

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

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 **Emile Aoun**, *Lead Counsel*

Mr **Tom Hannis**, *Co-counsel*

Mr **Chad Mair**, *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

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