



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 Rafiq 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)

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

Hassan Habib Merhi is accused of having participated in a conspiracy with others aimed at committing a terrorist act to assassinate Rafiq Hariri. Mr. Merhi is accused of having coordinated, together with Mustafa

Amine Badreddine, 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.

This document is also available on the STL website (www.stl-tsl.org) and on Scribd (www.scribd.com/stlebanon).

All the judicial filings are available on the Tribunal's website at the following address: www.stl-tsl.org/en/the-cases/key-filings-all-cases.

Before throwing away this document, give it to a friend who is interested in learning about the Tribunal.

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.

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.

19 December 2012 - Following the Pre-Trial Judge's decisions of [8 May](#), [3 September](#), [28 November](#) and [19 December 2012](#), the total number of victims participating in the proceedings is 65.

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 - Head of the Defence Office assign 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 trial in the *Ayyash et al.* case starts with the opening statements of the Prosecution, the Legal Representatives of Victims and Defence counsel for Messrs. Badreddine and Oneissi.

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



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 Braidi
 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*
 Mr. Cameron Graeme, *Senior Trial counsel*
 Mr. Alexander Hugh Milne, *Senior Trial counsel*

Defence Counsel for Hassan Habib Merhi

Mr. Mohamed Aouini, *Lead counsel*
 Ms. Dorothee Le Fraper du Hellen, *Co-counsel*
 Mr. Jad Khalil, *Co-counsel*

Defence Office

Mr. François Roux, *Head of the Defence Office*

Representation of the Registry

Mr. Daryl Mundis, *Registrar*
 Ms. Amelie Zinzius, *Deputy 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

