



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

Hussein Hassan Oneissi

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;
 - Intentional homicide of Rafiq 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>	11 February 1974
<i>Place of birth</i>	Beirut (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. International arrest warrant issued on 8 July 2011 and, more recently, on 9 August 2013.
<i>Current situation</i>	Mr Oneissi remains at large. On 1 February 2012, the STL Trial Chamber decided to try Mr Oneissi 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 Oneissi, also known as "Hussein Hassan Issa", is accused of having participated in a conspiracy with others aimed at committing a terrorist act to

assassinate Rafiq Hariri. Mr Oneissi, along with Assad Hassan Sabra, is also accused of having participated prior to the attack in the selection of a suitable individual, later identified as Ahmed Abu Adass, to make a false claim of responsibility; and in his disappearance. The indictment further alleges that Mr Oneissi and Mr Sabra acted together immediately after the assassination in order to disseminate statements falsely attributing responsibility for the attack, and to ensure the delivery and subsequent broadcast of the video-taped false claim of responsibility to the Al-Jazeera office in Beirut.

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 Oneissi. Subsequent international arrest warrants have been issued on 9 August 2013 following the amendment of the indictment.

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.

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 66.

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

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 found that certain disclosure obligations had not been met, which the Prosecution [recognised](#).

31 July 2013 - The Pre-Trial Judge [authorises](#) the amendment of the indictment. The [amended indictment of 21 June 2013](#) becomes the operative indictment with no significant additions or modifications to the charges.

15 August 2013 - Following the Pre-Trial Judge's decisions of [14 March](#) and 15 August 2013, 29 victims can participate in the proceedings confidentially, without having their identities disclosed to the public.

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.

16 June 2014 - The *Ayyash et al.* trial resumes after it was adjourned upon the request of the Merhi Defence.



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

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*
 Mr Ekkehard Withopf, *Senior Trial counsel*
 Mr Cameron Graeme, *Senior Trial counsel*
 Mr Alexander Hugh Milne, *Senior Trial counsel*

Defence Counsel for Hussein Hassan Oneissi

Mr Vincent Courcelle-Labrousse, *Lead counsel*
 Mr Yasser Hassan, *Co-counsel*
 Mr Philippe Larochelle, *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

Last updated in June 2014

