



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.

*On 18 August 2020, the Trial Chamber pronounced the Trial Judgment in the Ayyash et al. case. The Trial Chamber unanimously found Salim Jamil Ayyash guilty beyond reasonable doubt on all charges against him in the amended consolidated indictment and further found Hassan Habib Merbi, Hussein Hassan Oneissi and Assad Hassan Sabra not guilty of all counts charged against them. On 11 December 2020, the Trial Chamber pronounced its Sentencing Judgment and sentenced Mr Ayyash to five concurrent sentences of life imprisonment to be served concurrently.*

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

<b><i>Date of birth</i></b>	10 November 1963
<b><i>Place of birth</i></b>	Harouf, Lebanon
<b><i>Nationality</i></b>	Lebanese
<b><i>Confirmation of the indictment</i></b>	28 June 2011
<b><i>Arrest warrant</i></b>	Delivered confidentially to the Lebanese authorities on 28 June 2011, on 9 August 2013 and on 31 October 2016. International arrest warrants issued on 8 July 2011, on 9 August 2013 and on 11 October 2016. A renewed arrest warrant, an international arrest warrant and an order and request for the transfer and detention of Mr Ayyash to the STL's custody was issued on 11 December 2020.
<b><i>Current situation</i></b>	Mr Ayyash remains at large. On 11 December 2020, the Trial Chamber pronounced its Sentencing Judgment in the <i>Ayyash et al.</i> case and sentenced Mr Ayyash to five concurrent sentences of life imprisonment to be served concurrently. On 12 January 2021, the Prosecution and the Ayyash Defence filed notices of Appeal against the Trial Judgment and the Defence and Legal Representative of Victims filed notices of Appeal against the Sentence.

### ***Criminal acts***

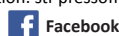
The amended consolidated indictment states that the former Lebanese Prime Minister Rafik Hariri was assassinated on 14 February 2005, at 12:55 on Rue Minet el Hos'n in Beirut, as a result of a terrorist act in which a suicide bomber detonated a large quantity of high explosives concealed in a van. In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

The Trial Chamber convicted Mr Ayyash as a co-perpetrator of conspiracy aimed at committing a terrorist act, by means of an explosive device, to assassinate Rafik Hariri and of coordinating the physical perpetration of the attack and the surveillance of Rafik Hariri prior to the bombing. It also convicted him of the intentional homicide of an additional 21 persons, and attempted intentional homicide of 226 persons, with premeditation by using explosive materials.

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

For more information please contact the Public Information and Communications Section: stl-pressoffice@un.org Tel : +31 (0) 70 800 3560 / 3828 and +961 4 538 100 (Beirut)

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



## 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 Mr Ayyash, Mr Badreddine, Mr Oneissi and Mr Sabra submitted by the Prosecutor on 17 January 2011.

**30 June 2011** — The indictment is transmitted to the Lebanese authorities, which 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 and 11 October 2016 following the amendments of the indictment.

**12 July 2011** — The Victims' Participation Unit opens applications for victims to participate in the *Ayyash et al.* proceedings.

**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 eight counsel to represent the interests 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.

**25 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.

**10 March 2014** — The Prosecutor files a consolidated indictment, dated 7 March 2014, against Mr Ayyash, Mr Badreddine, Mr Merhi, Mr Oneissi and Mr 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 consolidated indictment removing Mustafa Amine Badreddine from the list of Accused and naming him a co-conspirator. On 11 July 2016, the Appeals Chamber—by majority—determined that there was sufficient evidence to conclude that Mr Badreddine had died, and it directed the Trial

Chamber to the proceedings against Mr Badreddine, without prejudice to resume the proceedings, if evidence that he was alive was adduced in the future. The Trial Chamber terminated the proceedings against Mr Badreddine without prejudice on the same day.

**28 August 2017** — The victims' case begins, allowing victims' views and concerns to be presented to the Trial Chamber by their Legal Representatives.

**7 February 2018** — The Prosecution completes the presentation of its evidence marking the conclusion of the Prosecution case.

**20-22 February 2018** — The Trial Chamber hears oral submissions from Defence counsel for Mr Oneissi under Rule 167 of the Rules of Procedure and Evidence (RPE) entitled "Judgement of Acquittal at the Close of the Prosecution Case", and the response of the Prosecution. The Oneissi Defence was the only Defence to make submissions under Rule 167.

**7 March 2018** — The Trial Chamber finds that the Prosecution had provided sufficient evidence upon which it could convict Mr Oneissi and thus dismisses the Oneissi Defence's application under Rule 167.

**4 May 2018** — A Panel consisting of Judge David Baragwanath (Presiding), Judge Afif Chamseddine and Judge Daniel David Ntanda Nsereko dismisses in its entirety the motion filed under Rule 25 by Defence counsel for Mr Oneissi for the disqualification and withdrawal of the Trial Chamber Judges, Presiding Judge David Re, Judge Janet Nosworthy, and Judge Micheline Braidy.

**14 May 2018** — The Defence case for Mr Oneissi begins. The Oneissi Defence called two witnesses who testified on 14 and 15 May, and 5, 6 and 7 June 2018, and tendered documents for admission into evidence.

**28 June 2018** — The presentation of evidence concludes.

**16 July 2018** — The Prosecutor and the Legal Representatives of Victims file their final trial briefs.

**13 August 2018** — The Ayyash, Oneissi and Sabra Defence file their final trial briefs.

**18 August 2018** — The Merhi Defence files its final trial brief.

**11-21 September 2018** — The Trial Chamber hears closing arguments by the Prosecution, the Legal Representatives of Victims and the Defence of the four Accused. The trial hearings conclude and the judges withdraw to deliberate whether the Prosecution has proved its case beyond reasonable doubt.

**18 August 2020** — The Trial Chamber pronounces the Trial Judgment in the *Ayyash et al.* case. The Judges unanimously find Mr Ayyash guilty beyond reasonable doubt as a co-perpetrator of conspiracy aimed at committing a terrorist act, committing a terrorist act by means of an explosive device, intentional homicide of Mr Rafik Hariri with premeditation by using explosive materials, intentional homicide of additional 21 persons with premeditation by using explosive materials and attempted intentional homicide of 226 persons with premeditation by using explosive materials. It finds Mr Merhi, Mr Oneissi and Mr Sabra not guilty

of all the counts charged against them in the amended consolidated indictment.

**1 September 2020** — Prosecution files written submissions on sentence.

**18 September 2020** — The Legal Representatives of Victims—with the Trial Chamber’s leave—file written submissions on sentence.

**25 September 2020** — The Ayyash Defence files observations on sentence.

**10 November 2020** — The Trial Chamber hears oral submissions on the appropriate sentence for Mr Ayyash.

**11 December 2020** — The Trial Chamber pronounces the Sentencing Judgment in the *Ayyash et al.* case. It unanimously sentences Mr Ayyash to life imprisonment for each count on which it had found him guilty, and orders that the sentences be served concurrently.

**11 December 2020** — A renewed arrest warrant, an international arrest warrant, order and request for the transfer and detention of Mr Ayyash are issued by the Trial Chamber.

**12 January 2021** — The Prosecution and Defence counsel for Mr Ayyash file notices of Appeal against the Trial Judgment of 18 August 2020.

The Defence and the Legal Representative of Participating Victims (LRV) also file notices of Appeal against the Sentencing Judgment of 11 December 2020. The filing of the notices of Appeal marks the beginning of the Appeals phase in the *Ayyash et al.* case.

**24 February 2021** — The Appeals Chamber dismisses the LRV Notice of Appeal against the Sentencing Judgment as inadmissible. The Appeals Chamber authorizes the participating victims to participate in the appellate proceedings for the purpose of expressing their views and concerns on issues affecting their personal interests.

**29 March 2021** — The Appeals Chamber rules that the Defence for Mr Ayyash have no standing to appeal his conviction in his absence. The convicted Accused Mr Ayyash, as an individual, retains all the safeguards required under international human rights standards including the right to appeal the Judgments if he appears, or request a retrial.

*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*

### Composition of the Appeals Chamber

Judge Ivana Hrdličková, *Presiding Judge*  
 Judge Ralph Riachi  
 Judge David Baragwanath  
 Judge Afif Chamseddine  
 Judge Daniel Nsereko

### Representation of the Office of the Prosecutor

Mr Norman Farrell, *Prosecutor*  
 Ms Joyce Tabet, *Deputy Prosecutor*  
 Mr Nigel Povoas, *Senior Trial Counsel*

### Defence Counsel for Salim Jamil Ayyash

Mr Emile Aoun, *Lead Counsel*  
 Mr Chad Mair, *Co-counsel*

### Defence Office

Ms Dorothée Le Fraper du Hellen, *Head of the Defence Office*  
 Ms Héleyn Uñac, *Deputy Head of the Defence Office*

### Representation of the Registry

Mr David Tolbert, *Registrar*  
 Mr Martin Petrov, *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](http://www.stl-tsl.org/en/about-the-stl/biographies)

*Last updated March 2021*