

**MEMORANDUM OF UNDERSTANDING**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF LEBANON**

**AND**

**THE OFFICE OF THE PROSECUTOR OF THE  
SPECIAL TRIBUNAL FOR LEBANON**

**REGARDING**

**THE MODALITIES OF COOPERATION BETWEEN THEM**

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**RECOGNIZING** that the International Independent Investigation Commission, established pursuant to UN Security Council resolution 1595 (2005) to assist the Lebanese authorities in their investigation of all aspects of the 14 February 2005 terrorist bombing attack in Beirut, that killed former Lebanese Prime Minister Rafik Hariri and others, ceased to operate on 28 February 2009;

**RECALLING** Security Council resolution 1757 (2007), establishing a Special Tribunal for Lebanon (the "Special Tribunal") with jurisdiction to prosecute those responsible for the assassination of former Lebanese Prime Minister Rafik Hariri and others as well as other connected attacks;

**TAKING NOTE** of the fact that the Special Tribunal has commenced functioning on 1 March 2009;

**RECALLING** the obligations of the Government of Lebanon, under Security Council resolution 1757 (2007), to cooperate with all organs of the Special Tribunal, in particular with the Prosecutor, at all stages of the proceedings, particularly Article 15 of the Agreement on the establishment of a Special Tribunal and Article 11 of the Statute;

**TAKING NOTE** of the minutes of meeting No 32 of the Council of Ministers of 24 April 2009 instructing the Minister of Justice to take the necessary measures related to the Memorandum of Understanding between the Government of the Republic of Lebanon and the Office of the Prosecutor of the Special Tribunal for Lebanon and other matters related to cooperation with the Special Tribunal for Lebanon;

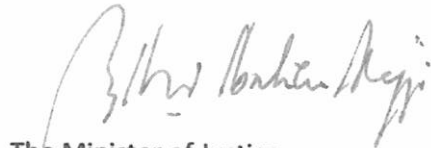
The Government of Lebanon, represented by the Minister of Justice, and the Office of the Prosecutor of the Special Tribunal, represented by the Prosecutor, therefore, have agreed as follows:

1. The Prosecutor General's Office at the Court of Cassation, represented by the Prosecutor General at the Court of Cassation or his Deputy, as delegated by him for this purpose, and in accordance with Lebanese law shall ensure coordination as appropriate, between the Office of the Prosecutor of the Special Tribunal and the relevant Lebanese Ministries, Lebanese judicial authorities and other official institutions, as necessary.
2. The Prosecutor General's Office at the Court of Cassation, represented by the Prosecutor General at the Court of Cassation or his Deputy, as delegated by him for this purpose shall ensure the cooperation of relevant Lebanese Ministries, Lebanese judicial authorities and other official institutions, in the implementation and execution, as soon as possible, of all the requests for cooperation made by the Office of the Prosecutor of the Special Tribunal.

3. The Lebanese Government shall guarantee that the Office of the Prosecutor of the Special Tribunal is free from interference in the conduct of its investigation in Lebanon, and is provided with all necessary assistance to fulfill its mandate, including:
  - a. Provision of all documentary, testimonial and physical information and evidence in possession of the Lebanese agencies, administrations and institutions on the cases relevant to the mandate of the Special Tribunal, as soon as possible, and collection of any additional information and evidence, both documentary and physical;
  - b. Facilitation of access to all relevant places, sites, persons and documents for investigative purposes;
  - c. Facilitation of the conduct of interviews and meetings with people in a position to assist the Office of the Prosecutor at the Special Tribunal in obtaining information, evidence and testimony and implementation of any required procedures and actions required to solve the crime, in a secure, confidential and tranquil environment.
4. The Prosecutor General of the Special Tribunal shall make requests for assistance of any kind or requests for judicial or legal proceedings by the competent authorities and in accordance with the Lebanese Code of Criminal Procedure.
5. The Office of the Prosecutor General at the Court of Cassation shall provide free of charge suitable premises for the work of the Office of the Prosecutor of the Special Tribunal in a secure, confidential and tranquil environment, and shall ensure its inviolability. The relevant Lebanese authorities shall also provide alternative locations, as necessary and as requested by the Office of the Prosecutor of the Special Tribunal, to conduct interviews and to collect testimony that may require special measures of security and confidentiality.
6. This Memorandum of Understanding may be amended with the agreement of the two Signatories, taking into consideration the needs of the investigations and the prosecutions.
7. Any disagreement concerning the interpretation of this Memorandum of Understanding shall be settled by negotiations.
8. This Memorandum of Understanding shall enter into force upon signature and shall remain valid until the conclusion of the work of the Office of the Prosecutor of the Special Tribunal.

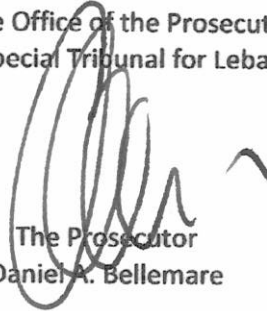
Done in Beirut, on June 5, 2009, in two originals in the Arabic, English and French languages, the three versions being equally authentic.

For the Government  
of the Republic of Lebanon



The Minister of Justice  
Ibrahim Najjar

For the Office of the Prosecutor  
of the Special Tribunal for Lebanon



The Prosecutor  
Daniel A. Bellemare