

Interview With Mr. Detlev Mehlis, The First Commissioner of UNIIC In The Assassination Of Hariri

Contributed by Raghida Dergham - Al-Hayat
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Detlev Mehlis, Former Commissioner of United Nations International Independence Investigation Commission in the assassination of former Prime Minister Rafik Hariri and 22 others, stressed that the tribunal which commences its work on Sunday, March 1st, is the "raised finger of the international community to anyone who considers achieving his political goals in Lebanon through assassinations." In his exclusive statement to Al-Hayat, he added that "I hope one day this raised finger will turn into a finger pointing at the perpetrators."

He considered: "I think a deal on the Tribunal is impossible", and what harms the Tribunal is the long time it takes with no people to put on trial "which will lower people's and government's concern about it." But at the same time, "as long as there is a Tribunal, it will remain a (legal) mean to punish and call [the perpetrators] to account and end impunity."

Mehlis said that "legally, with the establishment of the Tribunal, the Tribunal could not be abolished by a different Lebanese Government or a different US government or by a different Secretary General of the UN", affirming that "it can only be abolished by the Security Council", which is almost impossible unless its legal roles are incomplete."

The interview with Mehlis discussed the four Generals who had been arrested by the Lebanese authorities upon Mehlis's suggestion and proofs he submitted when he headed the International Independent Committee. He said: "legally, with the establishment of the Tribunal and the establishment of the Prosecutors Office with it, the four Generals should be turned over for the tribunal." He continued: "they were arrested on the suspicion of having been involved in the assassination and as far as I know they have been kept in prison for that (reason) over the last three years after I left. So well I think yes, it will definitely be the responsibility of the Prosecutor's Office and of the Tribunal to take care of them." Mehlis explained that the Lebanese authorities are authorized to handle the generals and the other detainees "until the establishment of the Tribunal" - March 1st because they are responsible for them until this date. But "with the establishment of the Tribunal and the Prosecutors Office the responsibilities change and the Lebanese case turns into a UN case basically" and the Lebanese Authorities become duty-bound to hand over the generals and other suspects to the Tribunal with the commencement of its work by the end of this week.

Mehlis said that the most two important conclusions he reached with his group are: "The group that enjoys an extensive organization and considerable resources and capabilities carried out the assassination. Also, the crime had been prepared over the course of several months and that, for this purpose, the timing and location of Mr. Rafik Hariri's movements had been monitored and the itineraries of his convoy recorded in detail. Mr. (Daniel) Bellemare, who took over in 2008, I think, changed it to a "network" that was responsible for the assassinations. So, that was our conclusion in October 2005." According to Mehlis, the second important conclusion "was that we found converging evidence that Lebanese and Syrian members of the security apparatus were involved with the assassinations." He continued: "we did identify suspects, the four Generals, who had been arrested upon my suggestion by the Lebanese authorities. We did together, with the Lebanese, identify a few additional suspects who were allegedly involved with the preparation, with the assassination."

Mehlis defended the fact that the investigation during his time was exposed to overt pressures away from secrecy after "we had established that it was a crime committed not just by Lebanese individuals but also that others were involved." He added: "without that high profile we would not see the establishment of the tribunal", as today.

RD: Let me start by asking you about Peter Fitzgerald- the first man to investigate the Hariri Assassination. What did you think of his work?

DM: Good question. Well, of course when we started we felt we had to take into consideration what he put into his report to the Security Council. Whatever we were about to find out at that time we really didn't know if we would come to identical conclusions or to different conclusions but of course we had to take into account what he had found out within weeks with a team of, I think, five or six investigators from Ireland, an interpreter or two; and that was about it. So, first I sent my chief investigator to Dublin to meet him and afterwards a couple of weeks later we asked one of his investigators to come to Beirut and to discuss the findings of my team. It turned out that, basically, we came to identical conclusions. I was very impressed by what Fitzgerald did. He had found out so much under different conditions-- because he was before the Cedar Revolution so he still had to deal with the pre Cedar revolution system- the Lebanese security system and Lebanese judicial system as it was before the cedar revolution- and still he managed to do an excellent job investigation wise. So I was very impressed. I'm sure had he continued his investigation and if he instead of me had

become Commissioner of UNIIC (United Nations International Independent Investigation Commission) I'm sure he would have come to identical conclusions and evidence.

RD: It is really stunning that he concluded in three weeks what you confirmed in a few months and we are now four years later and nothing contradictory was reported by the next two commissioners to either your report or to Fitzgerald's. Is it not stunning to you or is it?

DM: Well, Frankly speaking Raghida, I don't know what happened after I left, if anything happened. So I cannot comment on that. But looking back, I think we, with Peter Fitzgerald, we were very close to the truth. I think we were very close. Of course I think we were able to gather more evidence and be more precise than Peter Fitzgerald, of course, because we had more time and his job was not to do a judicial investigation, like we had. His job was to give an overview to the Security Council of what had happened in Beirut from a policeman's point of view-- from an investigator's point of view. So my job was a little different-- I was supposed to gather the judicial evidence and identify suspects. Individuals, I should say, individual suspects. Of course Peter Fitzgerald could not do that in his short time-span, and it was not his job.

RD: Do you feel as confident now as when you identified the suspects or at least, got close to the truth, as you said? Do you feel confident now in what you reached and concluded then?

DM: Well for the first part of your question--yes I feel very comfortable. Actually, Raghida, yesterday as you called was the first time I went through our October 2005 report for the past two years. And without praising myself I was really surprised with how many details we collected within, basically, 7 months. And that included the start of the investigation, the start of the Commission. I mean you have to keep in mind that I started the investigation arriving in Beirut with two investigators on hand-- with no headquarters, without a team basically. The first weeks we were really occupied with, well, getting a team together. So again without praising ourselves, I was amazed how many details, how much evidence we collected and how precise our conclusions were--which I should add were not my individual conclusions. I mean I bear the full responsibility for those, but as I frequently point out the investigation team was composed of investigators, prosecutors, police officers, analysts, from seventeen different countries. Like from Egypt, from Switzerland, from Sweden, Finland, Denmark, Germany, the U.S, well you name it. So it was a common effort, and it was not that investigators would sit down and put something on paper which the others of the team would not agree to.

So, I think the main conclusion, if I should start at the end, was the conclusion that the assassination was carried out by a group with an extensive organization and considerable resources and capabilities. That the crime had been prepared over the course of several months and that, for this purpose, the timing and location of Mr. Rafik Hariri's movements had been monitored and the itineraries of his convoy recorded in detail.

Mr. (Daniel) Bellemare, who took over in 2008, I think, changed it to a "network" that was responsible for the assassinations. So, that was our conclusion in October 2005.

And actually all these conclusions in the report were important, otherwise we wouldn't have used them. But I think one of the most important conclusions, besides the last one, was that we found converging evidence that Lebanese and Syrian members of the security apparatus were involved with the assassinations.

RD: When you said earlier on that you got close to the truth, close to identifying suspects, what is that truth and what suspects did you have in mind?

DM: Well we did identify suspects, the four Generals, who had been arrested upon my suggestion by the Lebanese authorities. We did together, with the Lebanese, identify a few additional suspects who were allegedly involved with the preparation, with the assassination. Actually, our witness Mr. (Zuhair) Saddik turned out to be a suspect. Upon my suggestion, the Lebanese Prosecutor General turned him into a suspect and he was arrested in Paris to be extradited to Lebanon. But those were the suspects where we found probable cause to claim they were involved with the assassination. At that time, of course I should say we had only part of the picture-- so more time was needed. I used to say and still say that by the time I left the investigation, I would say I left it about half finished

RD: Who is the suicide bomber? What is his nationality?

DM: Well we did not find out. At that time, we did not identify him. Most probably it was not Abu Adas.

RD: Since then, you've followed the investigation from a far. I know you have not been involved, but you do have the background of it-- you know more than the rest of us know. Who do you think it might be? What nationality are you led to believe he is at this point? Because they've analyzed all kinds of details for years and years to find out his DNA from his teeth..

DM: I have no idea. I do not have any more information than you do. Probably you have more information than I do. So I do not have the slightest idea…

RD: Let me take you to some of the conclusions that you had reached in your famous report. You said, in your conclusions in the 2005 October report "there is converging evidence pointing at both Lebanese and Syrian involvement in this terrorist act" and that the Syrian military intelligence who had a pervasive presence in Lebanon, at least until the withdrawal of the Syrian forces from Lebanon had associations with the former senior security office officials- who are now in prison- as you pointed out. To your knowledge do the four Generals stand implicated today as in 2005?

DM: It's a wonderful question but I can't answer it. My knowledge of the investigation ends with January 11 2006. After that I have been reading some of the reports. I have to admit that I have not read all of them because I felt some were not that exciting.

RD: We're about to have the Tribunal commence its work on the first of March. Without revealing things you cannot reveal, do you feel that the evidence you have provided to the Lebanese Authorities still stands now? Should we expect the four Generals to be turned over to the Hague, to the Tribunal? And if they are not, what would be the reason that they are not turned in? Would the new chief of the investigation, Daniel Bellemare, have to conclude something opposite to your conclusions?

DM: Well I think legally, with the establishment of the Tribunal and the establishment of the Prosecutors Office with it, the four Generals should be turned over for legally another jurisdiction of the tribunal. Definitely, because they were arrested on the suspicion of having been involved in the assassination and as far as I know they have been kept in prison for that (reason) over the last three years after I left. So well I think yes, it will definitely be the responsibility of the Prosecutor's Office and of the Tribunal to take care of them. Absolutely.

RD: So then if anybody says that this is up to the Lebanese authorities, such as, I think, Serge Brammertz and Daniel Bellemare have indicated what does that mean? Is it really up to the Lebanese authorities or is it up to the tribunal at this point as to the fate of these Generals?

DM: I haven't heard them say that but, again, you, Raghida, have my view. The legal situation is very simple: the whole investigation was started and was run under Security Council resolution 1595. And 1595 is very clear that this investigation was and remains a Lebanese investigation- as long as there is a UNIIIC "to assist and to help the Lebanese in their investigation." So until the establishment of the Lebanese Tribunal and the Prosecutors office this is a Lebanese case. So legally the Lebanese authorities are responsible for anything that happens; which does not mean that the commission is not responsible as well but the last word is with the Lebanese. With the establishment of the Tribunal and the Prosecutors Office the responsibilities change and the Lebanese case turns into, well, a UN case basically.

RD: Interesting. So then the Lebanese authorities become obliged to turn over any suspects they have to the tribunal once it's established?

DM: Unless while they are still responsible they decided that there is not enough evidence to keep these people in provisional detention anymore. So until the establishment of the tribunal they can definitely do whatever they think is right and necessary under the Lebanese court of criminal procedure.

RD: But once the Tribunal commences its work March 1st, the Lebanese Authorities must turn the four Generals, the suspects, over to the Tribunal. Do I understand you correctly?

DM: Yes, absolutely.

RD: Tell us about the famously omitted paragraphs from the report that you submitted to the Security Council. It was said that then Secretary General Kofi Annan wanted them omitted and then that the UN forced your hand to do so. Is that correct?

DM: No, this is, please don't be offended Raghida, but I would consider that as an offense because I bore, and still bear full responsibility for the report. I was heading an independent commission-which means independent from the Secretary General of the UN as well. So we were supposed to report to the Security Council-- we were the instrument of the Security Council not of the Secretariat General or the Office of Legal Affairs or the Department of Political Affairs. So we were independent and I was an independent prosecutor working for the UN and investigating. So no one, and I should be very clear on that, no one from the UN system made me change anything in the report; and it wouldn't have worked.

What happened, Raghida, was that we came to New York with the idea that our report would be for the Security Council members and for the Secretary General only. The first time I discussed it with the Secretary General, he thought, and the Secretariat of the UN thought, for a number of reasons, the report should be published. I agreed to that but I told them that, it's different if you make a confidential report for a limited number of recipients or if you make a report for the public. So that is actually the point. I went through the report again and omitted the names of individuals who played a role in the investigation. I felt we didn't have enough evidence to expose publicly. The reason is that you have to respect the privacy of individuals if you do a report to the public in an investigation. And so that was the whole story. And then because of a technical mistake by the public affairs office of the UN this draft version showed in the official version.

So definitely no one made me change the text or even tried to make me change it. The only reason was that in my view there had to be a difference between a confidential report for a limited number of persons and a public report for, well, literally millions of people who might think that individuals names who appear in the public report basically (means) they have been convicted.

RD: I must say, yet, in that famous paragraph 96, where the omissions now are public property in effect, because everyone knows the names omitted, you said in the original "one witness of Syrian origin but resident in Lebanon, who claims to have worked for the Syrian intelligence services in Lebanon, has stated that approximately two weeks after the adoption of the SC resolution 1559, Maher Assad, Assef Shawkat, Hassan Khalil, Bahjat Suleiman, and Jamil Al Sayyed (replaced in the public document by senior Lebanese and Syrian officials) decided to assassinate Rafik Hariri." The paragraph goes on to say that the witness claimed that Sayyed went several times to Syria "to plan the crime, meeting once at the Meridian Hotel in Damascus and several times at the Presidential Palace and the office of Shawkat. The paragraph goes on and on with stunning details. The point is that that paragraph implicates those people. So when you had in mind to submit the report to a very few members of the Security Council, you had them, as what? As suspects?

DM: Again, these names were not supposed to be publicized so I don't think I should discuss them publicly after more

than three years.

RD: In your search, when you were close to the truth and you were close to finding suspects, how do they figure?

DM: Well again if you take the text one witness of Syrian origin who claims to have worked has mentioned these names and for some of these names we had sufficient evidence to arrest them for others not. I would not arrest anyone upon the statements of just one witness which has not been thoroughly checked. Again at that time after four months we were still in the middle of an investigation.

RD: You had said "it is the Commissions conclusion that after having interviewed witnesses and suspects in the Syrian Arab Republic and establishing that many leads points directly to the Syrian security officials as being involved in the assassination, it is incumbent on Syria to clarify a significant part of the unresolved questions." What were the unresolved questions you were seeking answers to?

DM: Forgive me Raghida, it has been three and a half years. I simply, I simply don't know.

RD: You were in the midst of publicly pressuring high-ranking officials in Syria to cooperate and agree to be questioned by you when you were sort of asked to resign, or were you asked to resign. Did anybody, in any indirect way ask you to resign?

DM: No, No one asked me. The reasons were three fold. There were professional reasons. I had never applied to the job as Commissioner. I agreed, the UN asked me, and I agreed to do it for a time of 3-6 months. So that was the deal and that was in Security Council resolution. So, professionally, I was not prepared to stay for a longer period. Personal reasons: my family was here and they had agreed to the 3-6 months term. And at the end of my term the UN made it very clear to me that from their view, for security reasons, I could not stay in Beirut any longer. They suggested to continue the investigation from outside of Lebanon, but that would not have been feasible. You cannot do an investigation from the outside. I would still have had the responsibility, but that is impossible-- you cannot repair a car over telephone or computer. You have to be at the spot of the crime scene.

So basically that is why I did not renew my contract. I left, well actually my contract went out in December, and I agreed to be here in transition period I suggested several people to the UN who I thought would be fit to continue as commissioner of the investigation and, well, that is what happened.

RD: Were you to be told by the Secretary General Kofi Annan that you could continue to investigate from Beirut, would you have stayed?

DM: Well as I said, no. This question- pardon me for saying so- is a little unfair. So it was a combination of three. I don't know if at the time, if one of these things would be omitted I don't know if I would have stayed. But I must say that upon leaving- after the transition period- I made it very clear to any party involved with the investigation that whenever there was the need for me to return, I would do it.

RD: So you were ready to come back and you were not asked to come back; is this what happened?

DM: Again, I told them when I would be needed, so, apparently, I was not needed

RD: Do you regret now in hindsight, what happened thereafter, do you regret leaving the investigation?

DM: Well, let's say when I took the decision to leave, it was clear to me whatever decision I would take, to stay or to leave, one day I would regret the decision I took. So had I stayed, there would have been a moment when I would have regretted that. I mean imagine there had been a bombing- an assassination attempt. I would have survived, ten of my people would have died and then I definitely would have regretted staying. So it's a very simple question but it's not answerable.

RD: So the threat against your life and your teams' lives played a very big role in your decision?

DM: Of course, I mean, well, first of all I care about my life, but also the people around me. Of course, I was responsible for them.

RD: Was it your high profile in demanding publicly from different governments including Lebanon and Syria-- was it that high profile of your investigation that led you to be targeted and that led Serge Brammertz to take such a low profile and reverse the public momentum that you associated with the investigation?

DM: Well of course I cannot comment on what my successor did but, of course, the investigation had gained high profile during my time. Of course it did, we had established that it was a crime committed not just by Lebanese individuals but also that others were involved. Without that high profile we would not see the establishment of the tribunal today. So of course it was high profile of the Commission and of myself and I still remember the day before I presented my second and final report. As you will recall Gibran Tueini- whom I had the pleasure of knowing personally and had whom I interviewed twice as a witness- was assassinated. Afterwards there was a letter, I don't know if it was real or not, but a letter surfaced saying that Mr. Mehlis was the original target but he was smart enough to leave so we picked Gibran Tueini and we hope Mr. Mehlis's successor will be smarter. So of course there were people who didn't like what we did, definitely.

RD: Do you think you were wrong to aim as high as wanting to question the President of Syria?

DM: No. I mean, I was there, or we were there, to investigate a terrible crime. I mean twenty three people lost their lives,

hundreds were wounded. And so it was expected from us, like in any serious investigation, to question anyone who may pass on information. So, hadn't we tried it there would have been a point, where lets say, in a later trial, a defense lawyer could have approached us and told us, well, why didn't you interview this person- including President Assad- because it was common knowledge, and as you read in the report, it was expressed by several witnesses that that the Prime Minister (Hariri) and President Assad had had difficulties with each other, to put it carefully. And besides it was only fair to give President Assad the chance to judicially explain his views-to give his views of this matter for the files, on black and white. Like the witnesses did, like Lebanese President Emile Lahoud did. So it was the obvious thing to do to ask the Syrian government to interview the President. I mean we had to do it, of course.

RD: The Special Tribunal for Lebanon that will commence on March 1st, do you think it will ever be able to conclude justice, to end impunity? In the middle of your investigation were you hoping that such a tribunal, that a tribunal would be established? And is it this one?

DM: I think it was already in the October or the December report that I recall we had a phrase like "the investigation should be put on an international platform" or something like this. So it was soon as we- the investigation committee- realized that not only Lebanese were involved in the assassination, it was very clear to us that the international community would have to do something about that should it come to a trial. So some type of international tribunal was inevitable once it would come to a trial involving individuals from third countries.

For Lebanese individuals a crime committed against Lebanese by Lebanese in Lebanon, the Lebanese judicial system could have and should have handled that definitely. They have the laws they have the right people.

So the tribunal was inevitable after we established there was probable cause of an involvement from individuals outside of Lebanon.

And so your question was if the tribunal will come to results? Well this is pure speculation. I don't like to speculate, but, right now the Tribunal is definitely important and is the right thing.

The Tribunal is like the raised finger of the international community to anyone who considers achieving his political goals in Lebanon through assassinations. I hope one day this raised finger will turn into a finger pointing at the perpetrators.

RD: Ban Ki-Moon, the Secretary General, seems committed to the irreversibility of the Tribunal and to ending impunity. Is that important? Is it important that he is committed, does that have any weight on matters?

DM: Absolutely. I think if you have followed the other tribunals-Cambodia, Sierra Leone, there is always a point where they run into many problems. It is very important that the Secretary General of the UN is committed to the Tribunal because he has a lot of political weight. He can ask countries to fund the Tribunal- if it runs into such difficulties.

RD: Do you worry about political deals to silence or to drag the trials indefinitely? There is talk behind the scenes that such deals are possible. First tell me what you think.

DM: I think a deal on the Tribunal is impossible. A deal in the way that a few people sit together and talk to each other and leave the room with a deal- this is impossible. No one will do that. What could happen is that the longer the investigation takes, the longer you will have the tribunal with no people to put on trial, the longer you have the tribunal and people will forget about the whole thing.

RD: You mean people will forget about it?

DM: Yes I mean people would not be interested in it anymore. I mean right now we have the situation, here in Germany, I don't know how it is in the US but I would say it is about the same thing-- that interest in the Hariri case is not high anymore. And if I am following correctly the Lebanese press-the Lebanese are not as interested in the case as they were four years ago. So if this continues without a trial, without putting suspects on trial, people in governments will lose interest and so this may happen.

RD: So would it still remain the "raised finger" as you put it against those individuals or bodies or governments or organizations involved in these assassinations?

DM: To some extent yes of course. As long as you have the tribunal, as long as it is there-it is an instrument which is ready; and for that it is definitely good. I hope it will be there for a very long time.

RD: Not even a new Lebanese Government can jeopardize the tribunal?

DM: The Lebanese Government, is supposed to fund about half of what the tribunal costs. So of course, the Government could say we are not funding it anymore and then it would depend on other countries to step in. But legally, with the establishment of the Tribunal, the Tribunal could not be abolished by a different Lebanese Government or a different US government or by a different Secretary General of the UN. It can only be abolished- I think- by the Security Council.

RD: Daniel Bellemare will be the Prosecutor soon. Could he win in trial, if he's done it right?

DM: Well, I don't know. I don't know what evidence has been gathered over the past three years.

RD: But you do know the evidence that was gathered over the period of time that you were involved and in the scenario that was followed by both Peter Fitzgerald and you and your teams. Based on what you found, what would be the scenario for the Prosecutor?

DM: Well to go to court you have to have the full picture. We only had about 2/3 of the full picture. So if he was able to get the full picture he could go to the trial and get full convictions. So it depends on a lot of issues, it depends on the

people who would be accused- if they would be from third countries, if that country would be willing to arrest them, to send them to the Hague for trial like the Libyans did in the Lockerbie case. So it depends on a lot of issues.

RD: When you hear people make a comparison or suggest a potential deal along the Lockerbie deal regarding Lebanon- When you hear that suggestion, do you feel there is really a potential for such a parallel, for such a comparison, for such a consequence?

DM: I have no idea if there was a deal on Lockerbie. I'm not familiar with the case. I don't think there was a deal between the British and the Libyans.

RD: We are talking about the eventual deal that someone is sacrificed, he is in prison, where the regime in Libya is in tact and then you have the people who paid to the families to lost their lives.

DM: Here we are talking compensation…

RD: Basically I guess what I am asking is about the deal that will save the regime and will sacrifice some minor or some lower level person that could have been involved potentially…

MD: Yes, but no serious prosecutor and no serious Judge would be willing to be part of a deal like this.

RD: When you hear people say: well, for the sake of peace and stability in the region, we need to sacrifice and compromise that tribunal. Many pontificators are saying that this would be necessary. How do you feel when you hear such things as someone who has done this investigation?

DM: That is always the problem with investigating politically motivated terrorists. A lot of these cases you have politics on one hand side and justice on the other and sometimes there are conflicts of course. Politics are pragmatic. Justice cannot be pragmatic. Justice has to be legal.

So more than once there is a conflict. But justice has to take its course, no matter what the political outcome is. In this case, of course, I am observing what is going on around me and I am reading newspapers. But if I have a case, and as a prosecutor, I have to deal with that case legally whatever the political outcome is.

RD: Your report, of course, remains the most extensive account of the Rafik Hariri assassination but some, as you know Mr. Mehlis, have said later that you rushed it; that it was unsubstantiated with the necessary evidence. Others point out that your successor Serge Brammertz spent two years re-investigating your investigation to, as they say, "clean up the mess." I would like your answer to that.

DM: No one ever told me this before, personally. So, no one ever approached me with that.

RD: Well its been said behind your back so I would like your answer to it

DM: No, I don't think I should comment to that. It's pretty stupid. I hate to do this but, as you know, I have worked here for almost thirty years as a prosecutor and all my terrorist cases, the ones I investigated, I presented them to courts and all the defendants were sentenced, some of them are still in prison. So why should I investigate differently in Lebanon, in a case like this?

RD: Why did the man you handpicked to be your successor re-investigate your investigation?

DM: I don't know. You should ask him…

RD: Did you ever have a conversation with him since he became you successor?

DM: No I told him if he needed any advice, if he had any questions, if he needed any explanations, I would be available. This is the least I could do, and it is obvious to do this for your successor. But he never approached me. I assume he didn't need any explanation, he didn't have any questions, which is OK.

RD: Did he actually politicize the investigation by insisting on depoliticizing the assassination and leaving the impression as if you politicized it?

DM: I don't know if he did that and whatever politicizing an investigation means.

RD: Because he left the impression that he thought you did.

DM: Well he never told me and I never heard it before. I mean how could I politicize an investigation, why should I? For what purpose? I really didn't care who committed this terrible assassination. I cared about finding out the people who committed it. But if they came from China , from the US from Israel, from Syria from Lebanon-I really didn't care about it and my investigators with me didn't care about it. So this allegation, if it's serious, it is pretty stupid.

RD: Again, in the short time period of your investigation, and Peter Fitzgerald's, you interviewed in four months more than four hundred persons, sixty thousand documents were reviewed, several suspects were identified and some leads established. You had said the investigation was incomplete then-but then it was only the beginning of the investigation. We are four years later and still it is incomplete, though the Tribunal will commence March 1st. Do you feel they would not have gone to the tribunal if it remained incomplete or do you feel that they already concluded what is needed to commence trials and that is why they are going to the Tribunal?

DM: No idea Raghida. Really I don't know. That is a question you should be asking to Mr. Bellemare. That would be really, speculation.

RD: Could the Prosecutor have taken on the burden or the responsibility of prosecuting if he hasn't completed the investigation?

DM: Of course he can do that. It's like here in Germany--if you have a terrorist attack, like the one here in Berlin, I started, with my investigations, from the very first day and followed the case until the suspects who were brought to court were convicted. So legally there is no problem. You couldn't become a judge but as a prosecutor there are no problems. You have an investigation and then present the case to tribunal. Here in our German legal system and other legal systems this is very standard procedure.

RD: Last question Mr. Mehlis. In your heart, in the bottom of your heart, do you feel that you know the truth behind the assassinations?

DM: I think, yeah. Yeah. Yeah. Yes. For myself I have a very clear picture. Yeah I have a very clear picture but of course you need the evidence, judicial evidence, to present the whole picture to Tribunal. But I should add Raghida, that I did not have any picture when I started the investigation. So we were really open to all sides. So we investigated every option that there was. Like my senior Swedish investigator put it, when you start an investigation you have ten open doors and you close one door after another and at the end only one door remains open.

RD: And what, Mr. Detlev Mehlis, is that truth?

DM: Raghida, forgive me but I am neither authorized, nor willing, nor would it make any sense to give my personal views on that to the public.

RD: But do you trust that justice will be done?

DM: I hope so, yes.

<http://english.daralhayat.com/Spec/02-2009/Article-20090225-ad381c59-c0a8-10ed-000c-a6ae3c202853/story.html>

REPORT Official copy of the Mehlis Report on the assassination of Rafik Hariri, the result of the first stage of the Commission's investigation. www.un.org/News/dh/docs/mehlisreport/