

Legal analysts see long road ahead for Hariri tribunal

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'Countries may refuse to cooperate'

BEIRUT: It could be many years before the killers of Lebanon's former Prime Minister Rafik Hariri are brought to justice because of political considerations and the complexity of the case, analysts believe.

The UN tribunal into the February 2005 assassination opens its doors in The Hague on Sunday, but commentators in Lebanon are not holding their breath and even the court registrar said it could last five years.

"I doubt we will see any tangible results as far as formal charges or trials before at least two years," Issam Mubarak, an international law professor at Beirut's Sagesse University, told AFP.

"If you have political interference and evidence as well as witnesses missing, there will be delays," he added. "So for those reasons you cannot predict how long the tribunal will last."

The Special Tribunal for Lebanon has existed on paper since June 2007 when it was established by a UN Security Council resolution following the February 14, 2005 murder of Hariri in a massive car bomb in Beirut that also killed 22 others.

"I think it would be unlikely you would see this tribunal finish before between three and five years," Robin Vincent, the tribunal's registrar, told a news conference on Tuesday.

In its early stages, the UN probe into the murder implicated top Syrian intelligence officials, including President Bashar Assad's brother as well as his brother-in-law, but Damascus has consistently denied any involvement.

Even though seven suspects were detained, among them four top Lebanese generals, it remains unclear whether there is enough evidence to link Syria to the murder.

Some within the Western-backed parliamentary majority in Lebanon, headed by Hariri's son and political heir Saad Hariri, fear current rapprochement moves between Damascus and Washington could affect the tribunal's proceedings.

"We have a tendency in the Middle East to allow politics to influence the judicial system," Mubarak said. "And for that reason we are suspicious of the renewed relations between Syria and Washington."

But Mubarak and others in Lebanon also believe that the Hariri tribunal will in the end fulfill its mandate.

"I don't think anyone can interfere with the tribunal which was created by the UN Security Council and is made up of top international and Lebanese judges," said Lebanon's former prosecutor general, Munif Oueidat. "No one can torpedo this tribunal."

Lebanese Justice Minister Ibrahim Najjar said it was paramount for the sake of the country that the tribunal be allowed to carry out its work regardless of political considerations.

"What is at stake here is the difference between impunity and justice," Najjar told AFP. "Either we accept that those behind such crimes walk free or we insist once and for all for truth and justice."

"At issue here are our ideals about justice, about our society, our freedom, about our very existence." The tribunal, with an 11 judges, will initially have a three-year renewable mandate.

"There is a risk that some countries may refuse to cooperate by handing over suspects or that suspects could disappear," said Sami Salhab, a professor of international law at Lebanese University.

"So for the time being we can only hope. But if there are no obstacles, be it from individuals, organisations or countries, this tribunal could serve as a model."

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