

BREAKTHROUGH IN TRIBUNAL INVESTIGATION

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New Evidence Points to Hezbollah in Hariri Murder

Part 1: New Evidence Points to Hezbollah in Hariri Murder

The United Nations special tribunal investigating the murder of former Lebanese Prime Minister Rafik al-Hariri has reached surprising new conclusions -- and it is keeping them secret. According to information obtained by SPIEGEL, investigators now believe Hezbollah was behind the Hariri murder.

It was an act of virtually Shakespearean dimensions, a family tragedy involving murder and suicide, contrived and real tears -- and a good deal of big-time politics.

On February 14, 2005, Valentine's Day, at 12:56 p.m., a massive bomb exploded in front of the Hotel St. Georges in Beirut, just as the motorcade of former Prime Minister Rafik al-Hariri passed by. The explosives ripped a crater two meters deep into the street, and the blast destroyed the local branch of Britain's HSBC Bank. Body parts were hurled as far as the roofs of surrounding buildings. Twenty-three people died in the explosion and ensuing inferno, including Hariri, his bodyguards and passersby.

The shock waves quickly spread across the Middle East. Why did Hariri have to die? Who carried out the attack and who was behind it? What did they hope to achieve politically?

The Hariri assassination has been the source of wild speculation ever since. Was it the work of terrorist organization al-Qaida, angered by Hariri's close ties to the Saudi royal family? Or of the Israelis, as part of their constant efforts to weaken neighboring Lebanon? Or the Iranians, who hated secularist Hariri?

At the time of the attack, it was known that Hariri, a billionaire construction magnate who was responsible for the reconstruction of the Lebanese capital after decades of civil war, wanted to reenter politics. It was also known that he had had a falling out with Syrian President Bashar Assad after demanding the withdrawal of Syrian occupation forces from his native Lebanon. As a result, the prime suspects in the murder were the powerful Syrian military and intelligence agency, as well as their Lebanese henchmen. The pressure on Damascus came at an opportune time for the US government. Then-President George W. Bush had placed Syria on his list of rogue states and wanted to isolate the regime internationally.

In late 2005, an investigation team approved by the United Nations and headed by German prosecutor Detlev Mehlis found, after seven months of research, that Syrian security forces and high-ranking Lebanese officials were in fact responsible for the Hariri murder. Four suspects were arrested. But the smoking gun, the final piece of evidence, was not found. The pace of the investigation stalled under Mehlis's Belgian successor, Serge Brammertz.

The establishment of a UN special tribunal was intended to provide certainty. It began its work on March 1, 2009. The tribunal, headquartered in the town of Leidschendam in the Netherlands, has a budget of more than €40 million (\$56 million) for the first year alone, with the UN paying 51 percent and Beirut 49 percent of the cost. It has an initial mandate for three years, and the most severe sentence it can impose is life in prison. Canadian Daniel Bellemare, 57, was appointed to head the tribunal. Four of the 11 judges are Lebanese, whose identities have been kept secret, for security reasons.

As its first official act, the tribunal ordered the release, in early April, of the four men Mehlis had had arrested. By then, they had already spent more than three years sitting in a Lebanese prison. Since then, it has been deathly quiet in Leidschendam, as if the investigation had just begun and there were nothing to say.

But now there are signs that the investigation has yielded new and explosive results. SPIEGEL has learned from sources close to the tribunal and verified by examining internal documents, that the Hariri case is about to take a sensational turn. Intensive investigations in Lebanon are all pointing to a new conclusion: that it was not the Syrians, but instead special forces of the Lebanese Shiite organization Hezbollah ("Party of God") that planned and executed the diabolical attack. Tribunal chief Bellemare and his fellow judges apparently want to hold back this information, of which they been aware for about a month. What are they afraid of?

According to the detailed information provided by the SPIEGEL source, the fact that the case may have been "cracked" is the result of a mixture of serendipity à la Sherlock Holmes and the state-of-the-art technology used by cyber detectives. In months of painstaking work, a secretly operating special unit of the Lebanese security forces, headed by intelligence expert Captain Wissam Eid, filtered out the numbers of mobile phones that could be pinpointed to the area surrounding Hariri on the days leading up to the attack and on the date of the murder itself. The investigators referred to these mobile phones as the "first circle of hell."

Captain Eid's team eventually identified eight mobile phones, all of which had been purchased on the same day in the northern Lebanese city of Tripoli. They were activated six weeks before the assassination, and they were used exclusively for communication among their users and -- with the exception of one case -- were no longer used after the attack. They were apparently tools of the hit team that carried out the terrorist attack.

But there was also a "second circle of hell," a network of about 20 mobile phones that were identified as being in proximity to the first eight phones noticeably often. According to the Lebanese security forces, all of the numbers involved apparently belong to the "operational arm" of Hezbollah, which maintains a militia in Lebanon that is more powerful than the regular Lebanese army. While part of the Party of God acts like a normal political organization, participating in democratic elections and appointing cabinet ministers, the other part uses less savory tactics, such as abductions near the Israeli border and terrorist attacks, such those committed against Jewish facilities in South America in 2002 and 2004.

The whereabouts of the two Beirut groups of mobile phone users coincided again and again, and they were sometimes located near the site of the attack. The romantic attachment of one of the terrorists led the cyber-detectives directly to one of the main suspects. He committed the unbelievable indiscretion of calling his girlfriend from one of the "hot" phones. It only happened once, but it was enough to identify the man. He is believed to be Abd al-Majid Ghamlush, from the town of Rumin, a Hezbollah member who had completed training course in Iran. Ghamlush was also identified as the buyer of the mobile phones. He has since disappeared, and perhaps is no longer alive.

Part 2: Revelations Will Likely Harm Hezbollah

Ghamlush's recklessness led investigators to the man they now suspect was the mastermind of the terrorist attack: Hajj Salim, 45. A southern Lebanese from Nabatiyah, Salim is considered to be the commander of the "military" wing of Hezbollah and lives in South Beirut, a Shiite stronghold. Salim's secret "Special Operational Unit" reports directly to Hezbollah Secretary-General Hassan Nasrallah, 48.

Imad Mughniyah, one of the world's most wanted terrorists, ran the unit until Feb. 12, 2008, when he was killed in an attack in Damascus, presumably by Israeli intelligence. Since then, Salim has largely assumed the duties of his notorious predecessor, with Mughniyah's brother-in-law, Mustafa Badr al-Din, serving as his deputy. The two men report only to their superior, and to General Kassim Sulaimani, their contact in Tehran. The Iranians, the principal financiers of the military Lebanese "Party of God," have repressed the Syrians' influence.

The deeper the investigators in Beirut penetrated into the case, the clearer the picture became, according to the SPIEGEL source. They have apparently discovered which Hezbollah member obtained the small Mitsubishi truck used in the attack. They have also been able to trace the origins of the explosives, more than 1,000 kilograms of TNT, C4 and hexogen.

The Lebanese chief investigator and true hero of the story didn't live to witness many of the recent successes in the investigation. Captain Eid, 31, was killed in a terrorist attack in the Beirut suburb of Hasmiyah on Jan. 25, 2008. The attack, in which three other people were also killed, was apparently intended to slow down the investigation. And, once again, there was evidence of involvement by the Hezbollah commando unit, just as there has been in each of more than a dozen attacks against prominent Lebanese in the last four years.

This leaves the question of motive unanswered. Many had an interest in Hariri's death. Why should Hezbollah -- or its backers in Iran -- be responsible?

Hariri's growing popularity could have been a thorn in the side of Lebanese Shiite leader Nasrallah. In 2005, the billionaire began to outstrip the revolutionary leader in terms of popularity. Besides, he stood for everything the fanatical and spartan Hezbollah leader hated: close ties to the West and a prominent position among moderate Arab heads of state, an opulent lifestyle, and membership in the competing Sunni faith. Hariri was, in a sense, the alternative to Nasrallah.

Whether Lebanon has developed in the direction the Hezbollah leader apparently imagined seems doubtful. Immediately after the spectacular terrorist attack on Valentine's Day in 2005, a wave of sympathy for the murdered politician swept across the country. The so-called "cedar revolution" brought a pro-Western government to power, and the son of the murdered man emerged as the most important party leader and strongest figure operating in the background. Saad al-Hariri, 39, could have become prime minister of Lebanon long ago -- if he were willing to accept the risks and felt

sufficiently qualified to hold office. After the Hariri murder, the Syrian occupation force left the country in response to international and domestic Lebanese pressure.

But not everything has gone wrong from Hezbollah's standpoint. In July 2006, Nasrallah, by kidnapping Israeli soldiers, provoked Israel to launch a war against Lebanon. Hezbollah defied the superior military power, solidifying its image as a resistance movement in large parts of the Arab world. If there were democratic opinion polls in the Middle East, Nasrallah would probably be voted the most popular leader. The highly anticipated June 7 elections will demonstrate whether the Lebanese will allow Nasrallah to radicalize them again. Once again, he is entering into the election campaign in a dual role. He is both the secretary-general of the "Party of God," represented in the parliament since 1992, and the head of Hezbollah's militia, part of a state within a state that makes its own laws.

Hezbollah currently holds 14 of 128 seats in parliament, a number that is expected to rise. Some even believe that dramatic gains are possible for Hezbollah, although landslide-like changes in the Lebanese parliamentary system are relatively unlikely. A system of religious proportionality ensures, with list alliances arranged in advance, that about two-thirds of the seats in parliament are assigned before an election. In the cedar state, a Sunni must always be prime minister, while the Shiites are entitled to the office of speaker of parliament and the Christians the relatively unimportant office of the president.

Hezbollah has not managed to upset this system, adopted decades ago, even though it objectively puts its clientele at a disadvantage. As a result of differences in birthrates, there are now far more Shiites than Sunnis or Christians in Lebanon. Some say that Nasrallah isn't even interested in securing power through elections, and that the "Party of God" would be satisfied with a modest share of the government. By not taking on too much government responsibility, Hezbollah would not be forced to dissolve its militias and make significant changes to its ideology of resistance.

The revelations about the alleged orchestrators of the Hariri murder will likely harm Hezbollah. Large segments of the population are weary of internal conflicts and are anxious for reconciliation. The leader of the movement, which, despite its formal recognition of the democratic rules of the game, remains on the US's list of terrorist organizations, probably anticipates forthcoming problems with the UN tribunal. In a speech in Beirut, Nasrallah spoke of the tribunal's "conspiratorial intentions."

The revelations are likely to be just as unwelcome in Tehran, which sees itself confronted, once again, with the charge of exporting terrorism. Damascus's view of the situation could be more mixed. Although the Syrian government is not being declared free of the suspicion of involvement, at least President Assad is no longer in the line of fire. Hardly anything suggests anymore that he was personally aware of the murder plot or even ordered the killing.

One can only speculate over the reasons why the Hariri tribunal is holding back its new information about the assassination. Perhaps the investigators in the Netherlands fear that it could stir up the situation in Lebanon. On Friday evening, the press office in Leidschendam responded tersely to a written inquiry from SPIEGEL, noting that it could not comment on "operational details."

Detlev Mehlis, 60, the German senior prosecutor and former UN chief investigator, has his own set of concerns. He performed his investigation to the best of his knowledge and belief, questioning more than 500 witnesses, and now he must put up with the accusation of having focused his attention too heavily on Syrian leads. The UN tribunal's order to release the generals who were arrested at his specific request is, at any rate, a serious blow to the German prosecutor.

One of the four, Jamal al-Sajjid, the former head of Lebanese intelligence, has even filed a suit against Mehlis in France for "manipulated investigations." In media interviews, such as an interview with the Al-Jazeera Arab television network last week, Sajjid has even taken his allegations a step further, accusing German police commissioner Gerhard Lehmann, Mehlis's assistant in the Beirut investigations, of blackmail.

Sajjid claims that Lehmann, a member of Germany's Federal Criminal Police Office (BKA) proposed a deal with the Syrian president to the Lebanese man. Under the alleged arrangement, Assad would identify the person responsible for the Hariri killing and convince him to commit suicide, and then the case would be closed. According to Sajjid, the authorities in Beirut made "unethical proposals, as well as threats," and he claims that he has recordings of the incriminating conversations.

Mehlis denies all accusations. Lehmann, now working on a new assignment in Saudi Arabia, was unavailable for comment. But the spotlight-loving Jamil al-Sajjid could soon be embarking on a new career. He is under consideration for the post of Lebanon's next justice minister.

Translated from the German by Christopher Sultan.

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