

VI. CONCLUSIONS

202. It is the Commission's view that the assassination on 14 February 2005 was carried out by a group with an extensive organization and considerable resources and capabilities. The crime had been prepared over the course of several months. 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.

203. Building on the findings of the Commission and Lebanese investigations to date and on the basis of the material and documentary evidence collected, and the leads pursued until now, there is converging evidence pointing at both Lebanese and Syrian involvement in this terrorist act. It is a well known fact that Syrian Military Intelligence had a pervasive presence in Lebanon at the least until the withdrawal of the Syrian forces pursuant to resolution 1559. The former senior security officials of Lebanon were their appointees. Given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge.

204. It is also the Commission's view that the context of the assassination of Mr. Hariri was one of extreme political polarization and tension. Accusations and counter accusations targeting mainly Mr. Hariri over the period preceding his assassination corroborate the Commission's conclusion that the likely motive of the assassination was political. However, since the crime was not the work of individuals but rather of a sophisticated group, it very much seems that fraud, corruption, and money-laundering could also have been motives for individuals to participate in the operation.

205. The Commission considers that the investigation must continue for some time to come. In the short time period of four months more than 400 persons have been interviewed, 60 000 documents reviewed, several suspects identified, and some main leads established. Yet, the investigation is not complete.

206. It is the Commission's conclusion that the continuing investigation should be carried forward by the appropriate Lebanese judicial and security authorities, who have proved during the investigation that with international assistance and support, they can move ahead and at times take the lead in an effective and professional manner. At the same time, the Lebanese authorities should look into all the case's ramifications including bank transactions. The 14 February explosion needs to be assessed clearly against the sequence of explosions which preceded and followed it, since there could be links between some, if not all, of them.

207. The Commission is therefore of the view that, should the Lebanese authorities so wish it, a sustained effort on the part of the international community to establish an assistance and cooperation platform together with the Lebanese authorities in the field of security and justice is essential. This will considerably boost the trust of the Lebanese people in their security system, while building self-confidence in their capabilities.

208. The recent decision to proceed with new senior security appointments was hailed by all the Lebanese parties. It was an important step towards improving the integrity and credibility of the security apparatus. However, it took place after months of a security vacuum and extensive sectarian-political debate. Much needs to be done to overcome sectarian divisions, disentangle security from politics, and restructure the security apparatus to avoid parallel lines of reporting and duplication and to enhance accountability.

209. It is the Commission's conclusion that, after having interviewed witnesses and suspects in the Syrian Arab Republic and establishing that many leads point directly towards Syrian security officials as being involved with the assassination, it is incumbent upon Syria to clarify a considerable part of the unresolved questions. While the Syrian authorities, after initial hesitation, have cooperated to a limited degree with the Commission, several interviewees tried to mislead the investigation by giving false or inaccurate statements. The letter addressed to the Commission by the Foreign Minister of the Syrian Arab Republic proved to contain false information. The full picture of the assassination can only be reached through an extensive and credible investigation that would be conducted in an open and transparent manner to the full satisfaction of international scrutiny.

210. As a result of the Commission's investigation to date, a number of people have been arrested and charged with conspiracy to commit murder and related crimes in connection with the assassination of Mr. Hariri and twenty-two others. The Commission is of course of the view that all people, including those charged with serious crimes should be considered innocent until proven guilty following a fair trial.