

**AMUN 2019**

## **Historical Commission of Inquiry: Assassinations**

### **Final Report on the Assassination of Former Lebanese Prime Minister Rafik Hariri**

#### **Introduction**

The Historical Commission of Inquiry began its investigation into the assassination of former Lebanese Prime Minister Rafik Hariri on 16 June 2005. Uncovering an accurate narrative of the buildup and causes of Mr. Hariri's assassination is pivotal to aid Lebanon in resolving its long standing political and religious tensions. The Commission trusts that the Security Council will consider its conclusions and recommendations seriously, and hopes that its work has unearthed the accurate version of events leading up to the assassination of Mr. Hariri.

In the course of this investigation, we have met with key witnesses, including international investigators who conducted an initial inquiry into the attacks, representatives of the Lebanese government's internal investigation, and representatives of the Lebanese government. In the course of our investigation, we examined the following pieces of evidence included in the body of this report.

#### **Evidence**

As an initial acknowledgement of those who participated in the inquiry, this Commission applauds the progress and dedication that has been accomplished on the inquiry into the assassination of former Prime Minister Rafik Hariri. This work would have been impossible without the selfless work of forensic teams, our telecommunications expert Wasseem Ied, key witnesses, and the Lebanese security forces who demonstrated dedication in their work to uncover the truth.

#### **Forensic Evidence**

Three investigative teams were created with support from the international community and the Lebanese government. These teams were instrumental in elucidating details from the forensic evidence which this Commission was supplied.

a. Dutch Ballistics and Explosives Experts

The first was a Dutch-based investigative team of ballistics and explosives experts. Their in-depth findings include the following:

- i. The explosion left debris scattered across the crime scene, including pieces of a circuit board that may belong to the device used to detonate the bomb. Further investigation of these pieces is currently underway.
- ii. The explosive, an vehicle-borne improvised explosive device (VBIED), was likely detonated on site by a suicide bomber.
  1. There exists, to a less certain degree, the possibility that the explosive was remotely detonated by cell phone signal.
- iii. Further forensic investigation is underway to examine any DNA evidence left behind at the scene in order to determine the identities of occupants of the exploded van, and potentially the number of occupants in the van.
- iv. When DNA evidence acquired from the scene was analyzed against Abu Adas's DNA, it was determined that there was not a match. Further, Adas' mother confirmed with the Commission that Adas could not drive, and therefore could not have operated the vehicle.
- v. The vehicle bearing the explosive device was a Mitsubishi Canter truck.
  1. The vehicle was stolen from Sagamihara, Japan and, from there, made its way to the detonation site. Our investigative team is partnering with Japanese investigative forces to further determine who stole this van and the potential pathway it may have taken to Lebanon.
  2. Immediately preceding the explosion, cell phone records, obtained from six prepaid cell phone cards, show calls taking place along the route which Mr. Hariri's motorcade would take. In the minutes before the bombing, the cell phones went silent.
- vi. The bomb was detonated in line with other parked vehicles directly adjacent to the St. George Hotel.

b. British Underwater Recovery Group

The second investigative team, a British underwater recovery group, was deployed to collect any evidence along the sea-floor and in the marina adjacent to the scene of the blast. Forty items were collected and seized, a vast majority of those being vehicle parts. Through the investigation, it was concluded that little to no explosives were found underground, thus eliminating any other possibility besides the explosion of the truck. They were aided in their work by Lebanese divers.

c. Japanese Vehicle Investigation Team

The third investigative operation was a Japanese-based team tasked with finding more about the vehicle stated in the earlier paragraphs. The team was able to conclude that the vehicle was stolen from Sagamihara, Japan on October 12, 2004. After being stolen, the vehicle made its way from Japan to the United Arab Emirates and finally to Tripoli,

Lebanon where it was sold at a used car dealer to two men who paid in cash. The men who bought the vehicle gave false names and phone numbers, and the car dealer had no security footage recorded.

### **Telecommunications Evidence**

The committee obtained crucial evidence in its investigation from Wasseem Ied, a skilled telecommunications and investigative expert. In his investigation of cell phones used to coordinate the attacks, Ied was able to trace the calls made to 15 cell phones. Ied traced the calls made to clusters around the city of Beirut. These clusters comprised of individuals or groups possessing multiple phones making calls between the site of the attack, a group or individual following Hariri's convoy, and a localized hotspot in southern Beirut. This hotspot was determined to be the headquarters of Hezbollah, the pro-Syrian Islamist party. The phones located around the city would call the headquarters, who would then allocate information back to down the chain to other members of the plot. The investigation would like to emphasize their gratitude and appreciation of Ied for his crucial contributions to this investigation.

### **Witnesses**

The Commission has been aided immeasurably by the assistance of witnesses, both those on the ground at the time of the explosion and political actors who have provided critical evidence regarding potential culprits behind the assassination.

a. **Colonel Samir Shehade**

Colonel Samir Shehade served as the chief representative of the Lebanese intelligence services to this Commission. He proved useful in detailing the myriad shortcomings in the initial investigation. Notably, in explaining the communication failures which plagued the investigation, he placed the blame on a lack of trust which existed between the native Lebanese and Syrian members of the investigative team. Shehade further clarified that he did not believe this breakdown in communication was deliberate, but rather was simply an unintended consequence of the already increasing distrust between Lebanese and Syrian officials.

Samir Shehade questioned the legitimacy of the Nasra and Jihad Group in Greater Syria, which claimed responsibility for the assassination. He stated that this group lacked any evidence pointing to its existence prior to or in the time since the recording of the video sent to Al Jazeera in February of 2005.

Shehade was killed in a roadside bomb on 30 September 2005. He had previously been urged by Hezbollah to reduce his cooperation with this Commission, a request which he refused.

b. Peter Fitzgerald

Peter Fitzgerald, Deputy Commissioner of the Irish Police, served as the lead figure of the first Hariri investigation and was the primary architect of the Fitzgerald Report, which details the finer points and major conclusions of his investigation. Fitzgerald also appeared in person to testify before the Commission. During his testimony, he reconfirmed the finding from his report that there was a major lack of oversight and coordination among the ranks of Lebanese investigative forces. This lack of coordination allowed for apparent tampering of evidence at the site of the assassination.

c. Zuhir ibn Mohamed Sayid Saddik

Saddik is a former member of the Lebanese Ba'ath Party. He was able to elaborate upon the intent behind the attack on Hariri and to relay the names of those who Hariri met with in the hours preceding the attack. He testified to the Commission that, despite there being no formal relationship between the Ba'ath party and Lebanese intelligence, the Ba'ath party was able to directly influence members of the Lebanese intelligence services. Additionally, he hinted that it is highly likely the Ba'ath party of Lebanon received directives from its Syrian counterpart.

In Saddik's understanding, the Syrian military intelligence played a role in the Hariri's assassination as well as in recent attacks on other Lebanese nationalist leaders. He proposed that the main reason for the attack on Hariri was the fact that his ideals were not in alignment with Syrian goals.

Saddik testified to seeing Abu Adas in the "Zababame" camp in Syria when he visited on "personal business." He also reported sighting the vehicle present at the bombing in this same camp being prepared to load the explosives.

Saddik cited his primary reason for withdrawing his support for the assassination plan as being his personal discomfort with the extension of the killings beyond just Hariri to include innocent civilian bystanders. While he had no issue with the violent removal of the political opposition, once it became clear that there would be extensive collateral damage as a result of Mr. Hariri's death, he decided to recuse himself from party membership.

He further testified that the bombing was purposefully crafted to simulate a Jihadist bombing in order to more believably plant the blame on the fictional Nasra and Jihad Group. He also claimed that the bombing of George Hawai, the Secretary General of the Lebanon Communist Party was linked to the assassination of Hariri. Based on this

testimony, it is possible that the parties that carried out the Hariri bombing also carried out the bombing on Hawai. Further investigation is necessary to corroborate this claim.

Lastly, it is brought to light by Saddik that the Deputy Minister of Defense of Syria, Assef Shawkata, met with Lebanese Ba'ath Party leader Nasser Kandil. Saddik reported to the Commission that these two individuals resolved to launch a campaign to defame Hariri politically and religiously in order to undermine his political 'clout'. Saddik also stated that Kandil drafted a report which concluded with the decision to assassinate Hariri.

d. Husam Taher Husam

Husam is a seasoned member of Syrian Intelligence living and operating in Lebanon. Husam implicated five high-ranking Syrian and Lebanese officials in the planning of the assassination of Rafik Hariri:

- Mahr Al-Assad, General of the Syrian General and commander of the Republican Guard;
- Jamil Al Sayyed, Surete Generale/ Lebanese Head of Counterterrorism;
- Bahjat Suleyman, high-ranking Syrian Security official;
- Assef Showkata, Syrian Deputy Minister of Defense;
- and Mustafa Hamdan, General of the Lebanese Revolutionary Guard.

According to Husam, multiple meetings occurred between these officials at various locations including a hotel in Damascus and Showkata's Residence in Syria. In one instance General Hamdan stated, "We're going to send him on a trip. Bye, bye Hariri."

## State Actors

a. The Lebanese Republic

Lebanon's response to the crisis was driven in large part by their internal divisions in 2004 and 2005. At the time of the initial investigation undertaken by Lebanese investigators, the tensions between actors loyal to either Lebanon or Syria led to a serious breakdown in communication over the course of the investigation. It is also likely that bad faith actors within the Lebanese government undermined the integrity of the Commission's investigation, informed Hezbollah of lines of inquiry which would have negatively impacted the group.

The official Lebanese response, and the actions undertaken by such figures as Samir Shehade and Electronics Expert Wassem Ied typify the overall objective of the new Lebanese government. The new government in Bierut should be looked upon as a cooperating force and an ally in the quest to find the truth.

On September 30th, 2005 the Lebanese investigation was taken under the care of this Commission following the assassination of Colonel Shehade. At the time of this report's publication, this Commission of Inquiry is now overseeing the official Lebanese investigation and response to the assassination.

b. The Syrian Arab Republic

The Syrian Arab Republic's response to the assassination can only be described as intransigence. Any attempts by this Commission to interview Syrian officials were rebuffed.

Evidence presented by figures such as Zuhir Ibn Sayyid Saddik and Husam Taher Huasm serves to implicate the highest echelons of the Syrian government in the plot to assassinate Mr. Hariri. They must be looked upon in the future as bad faith actors and cannot be counted upon to cooperate in the future.

### **Non-State Actors**

Non-state actors played a crucial role both in the investigation of Mr. Hariri's death as well as the assassination itself. These actors served both their own interests, as well as those of their state sponsors.

a. Arab Socialist Ba'ath Party-Lebanon Region

Lebanese Ba'ath leader, Nasser Kandil, was reported by Zuhir ibn Mohammed Sayid Saddik to being a member of a meeting in Sardinia, which determined that Mr. Hariri was a threat to their interests and had to be eliminated. According to Mr. Saddik this organization played a crucial role in the planning of Hariri's assassination, which in line with other evidence collected by this Commissions indicates collusion between this party and officials in the Syrian government. Saddik described a campaign carried out by the Ba'ath party to discredit and disrupt Hariri. When this plan did not achieve its desired goals a report was written by Nasser Kandil calling for the need to "eliminate Hariri" to achieve the party's political goals. Furthermore, utilizing the evidence provided by Saddik, who at the time was a member of the Ba'ath Party, it seems likely that the organization had ties to militants in both Syria and Lebanon, as well as figures embedded inside the Lebanese government.

b. Hezbollah

Following the unfortunate assassination of the Colonel Samir Shehade, the Commission was given full access to the Lebanese investigation. Hezbollah declined our invitation to send a representative to testify to the Commission.

- Following an in-depth investigation from telecommunications expert Wasseem Ied, the Commission found credible evidence implicating Hezbollah's involvement in the coordination of the assassination. Through Ied's investigation, it was determined that cell phones used to carry out the attacks directed calls to Hezbollah headquarters, who then carried a chain of command out to the perpetrators of the attack throughout Beirut.

c. Nasra and Jihad Group in Greater Syria

The Nasra and Jihad Group in Greater Syria initially claimed responsibility for the attack and additionally claimed association with Al Qaeda. It is evident to this Commission that this group was a fabrication of the Syrian regime. Corroborating testimony by both this Commission's witnesses and international experts indicates that there is no evidence of the existence of the Nasra and Jihad Group either before or after the attacks on Mr. Hariri. Moreover, Al Qaeda has not reciprocated Nasra's claim of association. The Nasra and Jihad Group in Greater Syria can be safely discounted as a potential culprit in the assassination of Mr. Hariri.

## Conclusion

Based on physical evidence provided through assistance from international and internal Lebanese investigation teams, our commission has drawn the following conclusions:

a. **The perpetrator of Hariri's assassination was not the Nasra and Jihad Group in Greater Syria, as originally reported by the Lebanese investigation.**

Evidenced by:

- i. Descriptions from multiple witnesses and analysts of the sophistication and financially burdensome state of the explosives used and the technique used to drive the car to its detonation.
- ii. International observers and Lebanese investigators confirmed this would have been impossible for any rogue group without powerful outside sponsors.
- iii. International experts on terrorism confirmed that this group has never been identified before, and no knowledge of any activities of this group exist outside of the scope of the assassination.
- iv. Further, the group claims to be linked to al-Qaeda, who claims no connection to this group.

**b. Ahmed Abu Adas could not have been a key suspect in the assassination of Rafik Hariri**

- i. DNA evidence recovered from the scene of the crime that was believed to be from the closest individual to the initial blast (the driver of the Mitsubishi) did not match any DNA from Ahmed Abu Adas.
- ii. Additional testimony from his mother provided information that Abu Adas was not at all able to operate and drive a vehicle and the way the vehicle was maneuvered to get into a key position would have required precision that he did not possess.
- iii. Witness account from Zuhir Ibn Mohamed Saddik may have placed him at the site of the Zababame camp in Syria but there is little evidence to show any additional involvement of Ahmed Abu Adas in the actual bombing of Hariri's detail.
- iv. Ahmed Abu Adas was most likely chosen to direct the investigation away from finding the real perpetrators of this assassination

**c. The Syrian government had direct involvement in the assassination of Rafik Hariri.**

- i. This finding has been corroborated by the testimony from two key witnesses:
  1. Zuhir ibn Mohamed Sayid Saddik, a witness of a key meeting in Sardinia involving members of the Lebanese Ba'ath party, and a witness of the Syrian indoctrination camp, Zababame, used to train the perpetrators of Hariri's assassination.
  2. Husam Taher Husam, a Syrian intelligence member living and operating in Lebanon.

Testimony from these individuals implicated Syrian military intelligence in the orchestration and execution of this attack. This includes:

- I. A meeting, relayed by Mr. Husman in Syria of Mahr Al-Assad, Assef Shawkata, Bahjat Suleyman, Jamil Al Sayyed, and Mustafa Habdeen. In this meeting the group resolved to have Mr. Hariri murdered.
  - A. Mr. Habdeen was reported to have said at this meeting regarding Mr. Hariri, "We are to send him on a trip. Bye, bye, Hariri."
- II. Circumstantial evidence also points to Nasser Kandil travelling to Syria to meet with Syrian officials in order to coordinate the attack.
- III. Mr. Saddik pointed to evidence of a militant training camp within Syria, near the Lebanese border. There, he saw the white Mitsubishi van responsible for delivering the bomb to Mr. Hariri's convoy.

**d. Substantive evidence implicates the Lebanese political group, Hezbollah, in the attacks and demonstrating their coordination with Syrian officials.**

- i. Calls organizing the attack were coordinated to Hezbollah headquarters in southern Beirut. From this location,
- ii. Suspicions of Hezbollah's involvement were later grounded by a call Ied received from a self-proclaimed member of Hezbollah, who knew of the supposedly secret investigation. This caller made threats to Ied, ordering him to end his investigation of the cell phone records following the death of Colonel Samir Shehade.

### **Recommendations to the United Nations Security Council:**

- I.** In order to maintain an impartial process of bringing the actors responsible for the assassination of Hariri to justice, the Commission hereby recommends the implementation on a Special Tribunal for the Assassination of Former Lebanese Prime Minister Rafik Hariri. In order to maintain the safety of witnesses, judges, and suspects, it is our belief this tribunal should take place outside of Lebanon and Syria. Our recommendation would be to conduct this tribunal at the Hague.
- II.** In an effort to continue to access vital testimony from those involved in this assassination, the Commission recommends that additional security efforts be made for former officials who are in a position to provide testimony. The Commission faced an unwillingness of some potential witnesses to testify to the Commission due to concerns about their safety. Our investigation will benefit from further efforts to ease these concerns.  
To maintain peace and security, the Commission recommends:
  - a. The implementation of witness protection for individuals involved in this investigation, who may be the target of attacks in retaliation for their input to our investigation.
  - b. A further focus on security of state officials in Lebanon. In light of continued fatal attacks on Lebanese political figures, including George Huwai of the Lebanese Communist Party, the Commission has come to the clear conclusion that Lebanese political leaders are under attack. To ensure stability into the region, more resources should be used towards ensuring protection of individuals vulnerable to politically-motivated attacks.
- III.** The current Commission believes that it is vital to continue investigation into Hezbollah and Kandil. While our investigation concluded that Hezbollah was directly related to the attacks based on cell phone use clusters being located in Hezbollah headquarters, further inquiry is needed to draw a full conclusion. A further foray of investigation would be the full extent of Hezbollah's involvement in this attack, including their collaboration with the Syrian military and/or Lebanese Ba'ath party.  
The commission faced a lack of cooperation from Hezbollah in obtaining witnesses from the party, however we believe that a persistent pursuit of witnesses with key information

on Hezbollah's involvement is necessary to ground the suspicion of the group's involvement in these attacks.