

# Lebanese ministers refuse questioning in Beirut blast investigation

Wed, 2020-12-16 23:16

BEIRUT: Two former Lebanese ministers, Ghazi Zaiter and Ali Hassan Khalil, have refused to appear before Lebanon's judicial investigator as part of criminal proceedings following the Beirut explosion.

Judge Fadi Sawan charged the ex-ministers, Prime Minister Hassan Diab and former minister Youssef Fenianos last week with "criminal negligence causing the death and injury of hundreds of people."

The two former ministers justified their decision by saying that they "did not receive a formal summons."

The pair also submitted a request to remove Sawan from the case because of "legitimate suspicions" regarding his neutrality.

A judicial source told Arab News that the revelation means "Sawan should stop the investigation with Zaiter and Hassan Khalil until the Court of Cassation decides on the recusal request after he delivers his remarks."

Sawan said that he "did not intend" to step down and will continue investigating the file, setting Jan. 4 next year as the new date for the two former ministers to appear for questioning.

Lebanon's investigation into the port explosion has faced political objections. Many have called for ministers and MPs linked to the disaster to stand before the Supreme Council.

The 1989 Taif agreement established the Supreme Council in Lebanon as a formal body to charge and convict presidents and ministers.

The Supreme Council consists of 7 MPs elected by parliament and 8 judges of the highest rank. Supreme Council procedures are only initiated if a two-thirds majority is reached in Lebanon's parliament.

However, Col. Bechara El-Khoury, head of the Ministry of Defense legal department, said legal texts have "created ambiguity in drawing the boundary between ordinary crimes and violations resulting from breaching the duties incurred by the prime minister and ministers."

He added: "The jurisprudence has not resolved the difference in views."

A source in Lebanon's judiciary said: "Parliamentary immunity is waived from Zaiter and Hassan Khalil when they are accused of murder."

"This is a criminal offense and is within the jurisdiction of the judicial branch, because their breach of duty resulted in murders."

On Wednesday, Deputy Parliament Speaker Elie Ferzli criticized Sawan in parliament. "The background to Sawan's accusation against the prime minister and three ministers is political," he said.

"What has the principle of separation of powers become? We did not find any serious or nonserious suspicion involving all those whose names were mentioned in the letter that Sawan sent to parliament," he added.

On Wednesday, Sawan listened to the testimony of former Lebanese Army Chief of Staff Maj. Gen. Walid Salman. A judicial source said: "Maj. Gen. Salman is a witness until now, waiting to see and study his testimony."

Sawan previously charged the Beirut Port Administration and Investment Authority with negligence, possible intent to murder and attempted murder. Hassan Quraitem, the port's director, was arrested about four months ago.

Director-General of State Security Maj. Gen. Tony Saliba also announced his refusal to appear before Sawan in a session scheduled for Thursday, asking to be invited through the Supreme Council of Defense.

Sawan is expected to question caretaker Prime Minister Hassan Diab on Friday.

Future bloc MP Mohammed Al-Hajjar questioned the Lebanese president's responsibility for the disaster.

He said: "The president of the republic knew about the ammonium nitrate 15 days before the explosion. He knew more than others the danger of these materials near neighborhoods, and he is a former commander of the army and the head of the Supreme Council of Defense. So who is responsible?"

Meanwhile, Lebanon's General Labor Union suspended a general strike on Wednesday that was set to protest against the removal of subsidies on basic materials.

Union head Bechara Al-Asmar said: "The union reached an understanding with Prime Minister Hassan Diab and the ministers concerned about not removing the subsidy on wheat, and it was confirmed that medicines for chronic diseases and diesel will still be subsidized.

"There is a keenness to postpone the move because it coincides with the holiday season and the need to move commercial markets, which are on the verge of bankruptcy."

A delegation from the union visited President Michel Aoun, who said: "The crisis in which the Lebanese are facing is one of the biggest crises, and we are working so that the economic and financial measures that we are taking are consistent with the situation in which we live.

"The big problem that Lebanon suffers from lies in securing the money needed to put solutions into practice.

"The money in the treasury is very limited and we are working to secure it. We are the ones working on that and we are not the ones who spent this

money,” he added.

Aoun warned that “rumors are spreading and have caused great damage in terms of building confidence between the Lebanese people and the judiciary, which I renew my absolute support for in the face of pressures.”



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## [Top European courts rule on human rights cases in Turkey](#)

Author:

Wed, 2020-12-16 23:05

ANKARA: The European Court of Human Rights (ECtHR) put rights violation cases in Turkey under the spotlight this month with several rulings on its agenda.

On Dec. 15, the European top court ruled that the Turkish government violated the rights of an employee who was dismissed by a state of emergency decree.

The court said that Turkey violated the employee's right to a fair trial and right to respect for his private and family life after he was sacked from his post at the public administration over claims of his links to terror groups.

ECtHR ruled that, even in cases where national security had to be considered, the principles of lawfulness and the rule of law should be applied when taking measures that affect an individual's fundamental rights.

The court sentenced Turkey to pay €4,000 (\$4,875) to Hamit Piskin, the applicant, in violation of articles 6 and 8 of the European Convention on Human Rights that Turkey is signed up to as a contracting party.

According to Ayse Bingol Demir, a human rights lawyer and co-director of the Turkey Human Rights Litigation Support Project, the Piskin case concerns the serious human rights violations of Turkey in the course of the state of emergency declared following the July 2016 coup attempt.

"More than four years on, we are starting to hear the voice of the court on the question of the compatibility of the government's actions with the European Convention on Human Rights," she told Arab News.

However, Demir added, whether the court's reaction was strong enough was a matter for consideration.

"Although the court found violations of Article 6 and 8 of the convention in this case, there are several aspects of the court's interpretations that are problematic, and this might prevent this judgment being a strong basis for those who have been impacted by the emergency decrees in their quests to obtain remedy for the violations they have endured," she said.

In the meantime, ECtHR will deliver a Grand Chamber judgment in the case of imprisoned Kurdish politician Selahattin Demirtas v. Turkey on Tuesday, Dec. 22.

The Demirtas case is widely considered by human rights groups to be a politically motivated prosecution.

The case is about the arrest and pre-trial detention of Demirtas, the former co-chair of the Peoples' Democratic Party (HDP), Turkey's left-wing, pro-Kurdish and second-largest opposition party.

Demirtas challenged Turkish President Recep Tayyip Erdogan in the 2014 and 2018 presidential elections, attracting 9.76 percent and 8.32 percent of the vote respectively from almost every part of society.

He was arrested on Nov. 4, 2016, in the middle of the night, over his alleged incitement of the violent street demonstrations across Turkey's southeastern provinces in October 2014 after Daesh attacked the Syrian Kurdish town of Kobani. The protests in Turkey caused the death of 50 people and hundreds were injured.

The detention of the deputies was made possible at the time following a controversial constitutional amendment and parliamentary vote in May 2016 that ensured the lifting of their parliamentary immunity.

The Council of Europe's Venice Commission, a European body that advises on constitutional matters, at the time harshly criticized the decision to lift parliamentary immunity, with the risk it carries for damaging democratic institutions in the country.

"Demirtas is one of the most prominent figures in the political scene in Turkey and has been unlawfully kept behind bars for over four years. The interference in the judicial proceedings against him, if not full control of them, by the executive has been so clear," lawyer Demir said.

Demirtas, who has been imprisoned for four years and two months, lodged his application with the European Court four years ago after having exhausted all domestic remedies.

Previously, lawyers for Demirtas strongly criticized several aspects of the ECtHR Second Section's earlier judgment in November 2018.

"The Grand Chamber will hopefully agree with their arguments and will properly address, recognize and duly criticize the seriousness of the issue of detention of political opponents and others for political purposes in Turkey," Demir said.

International groups, such as Human Rights Watch and Article 19, assert that there is no material evidence about the connection of Demirtas to the Kobani protests, saying that the prosecution is only based on his public speeches and political activities as a leader of a political party at the time.

"This case was given priority, the court states. National judicial authorities detain individuals without a ground in 15 minutes. Then it takes ages to undo this decision before the ECtHR, even in the case of a prominent politician. Isn't it the time to really reform the ECtHR?," said Kerem Altiparmak, a human rights' lawyer.

Rights advocacy groups also asked the Turkish government to review the detentions of other former HDP deputies, including the female co-chair of the party, Figen Yuksekdag, but the European Court of Human Rights has not ruled yet on these cases.

"The Turkish government has misused detention and criminal proceedings in a campaign of persecution against Demirtas in particular, including by flouting a European Court of Human Rights' order to release him and concocting new baseless charges to keep him behind bars," Human Rights Watch said in a press statement on Nov. 19.

However, Turkish rulers appear determined to keep Demirtas and the other HDP deputies behind bars, blaming them for terror acts in the country.

"Supporters of terrorism cannot be rewarded," Turkish President Recep Tayyip Erdogan said last month, indicating his personal objection to releasing

Demirtas.

In September, Erdogan also criticized HDP and its jailed ex-leader: “They have penetrated into the parliament. This nation does not and will not forget those who called the people into the streets and then in Diyarbakir had 53 of our children killed. We will follow this business to the end. We won’t release them.”



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## [Iraqis shed masks as economic pain overshadows virus fear](#)

Wed, 2020-12-16 00:16

BAGHDAD: While much of the world fears COVID-19, Iraqis have mostly stopped wearing face masks as they worry more about the pandemic’s economic impact than the virus itself.

In a war-scarred country burdened by rising job losses and deepening poverty, a majority of citizens seem to have shrugged off the global public health

crisis.

In one Baghdad pharmacy, cartons of surgical masks, transparent face shields and disinfectant bottles have piled up despite being on sale at slashed prices.

"There's a general sense that the pandemic has died down and that has led to being people negligent," said Nafea Firas, 23, who works at the pharmacy in the capital's Zayuna district.

Most Iraqis' minds are now far more focused on the economic hardship caused by plummeting oil revenues and huge delays in payments of state salaries and pensions.

The poverty rate has jumped from 20 percent to 31.7 percent this year, said a recent joint study by the UN children's agency UNICEF and the World Bank.

Meanwhile infection rates and deaths have indeed fallen, according to Health Ministry data, in an encouraging trend epidemiologists struggle to explain.

Out of 30,000 tests on December 12, only about 1,000 were positive, down from over 5,000 in a single day in September. The daily death toll fell to 16 from about 70 three months ago.

As Iraq worries less about the coronavirus, most people who entered Firas's pharmacy ignored a sign asking them to cover their faces, or a disinfectant dispenser at the door.

A rare customer who did wear a mask, a retired soldier, said: "When I walk the streets with my wife and we're both wearing masks, people look at us as if we're doing something wrong."

Iraq recorded its first COVID-19 cases in February and imposed a full lockdown the following month, with airports, land borders, schools, government offices and all public gathering places shuttered until the summer.

Authorities announced a 50,000 dinar (about \$35) fine for unmasked commuters, but it was barely enforced.

At the same time, the government has struggled with its worst financial crisis in decades, as oil prices fell sharply.

The state was no longer able to pay its employees or pensioners on time, leaving the livelihoods of entire families hanging in the balance.

Firas, at the pharmacy, said he favors enforcing mask use with fines but acknowledged that "the state wouldn't be able to impose it, particularly in the lower-income neighborhoods. "And fines would hurt vulnerable people more."

A Baghdad grocer said that large families simply could not afford the masks, disinfectant spray and other hygiene products, even at their reduced prices.

“Abiding by all these hygiene protocols would require financial capabilities that the poor simply don’t have,” he told AFP.

Efforts to help the poor have meanwhile been hampered by Iraq’s infamous bureaucracy. Some 200,000 sets of masks and gloves have been stuck at a southern Iraqi port since August due to paperwork delays at the customs authority, a senior official from the International Federation of the Red Cross said.

“These are to protect the people who can’t afford buying masks or gloves – the most in need, who live in crowded places where physical distancing or water and soap are not available enough,” the official said.

Firas recalled similar delays in the early days of the pandemic.

He said there were only two groups of people in Iraq who were known to be committed to use of the medical masks.

First, anti-government protesters who hit the streets last year donned the masks to protect themselves from tear gas fired by security forces.

“I used to carry hundreds of masks and distribute them in Tahrir Square,” Firas said.



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## Months after his death, Egyptian Dr. Mashaly's clinic for the poor reopens

Author:

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CAIRO: Only a few months after the death of Muhammad Mashaly, an Egyptian doctor who was famous for treating the poor for free or for a minimal fee, his clinic has reopened.

Hosni Qutb, an Egyptian doctor, decided to reopen the clinic in the northern city of Tanta, where Mashaly used to treat patients at a maximum price of 10 Egyptian pounds (\$0.63). Qutb announced the reopening following an agreement with Mashaly's family.

Hundreds of patients would queue in front of the clinic due to Mashaly's widespread reputation for treating people for such a small fee.

He passed away on July 28 after a sudden decrease in blood pressure. He was born in 1944 and graduated from the Faculty of Medicine at Cairo University in 1967. Mashaly held positions in hospitals in Gharbia governorate.

He said he decided to devote himself to treating the poor because, having come from a similar background, he related to their suffering. "I grew up poor ... I don't want to wear expensive clothes or travel in a 10-meter-long car," Mashaly once said.

Qutb said: "When the clinic was reopened ... we immediately informed them (patients) that we'd keep Mashaly's fee, and whoever can't pay can get examined for free." He has refurbished the clinic and added medical equipment.



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# [Iraqi activist shot dead in Baghdad](#)

Author:

Tue, 2020-12-15 23:48

BAGHDAD: An Iraqi anti-government protester was shot dead in east Baghdad by masked gunmen on Tuesday evening, according to a security source, a medic and an activist network.

Salah al-Iraqi was well-known for his active role in the rallies that erupted in Iraq's capital and the Shiite-majority south last year, slamming the government as corrupt, inefficient and beholden to neighbouring Iran.

Iraqi was killed in the capital's Baghdad al-Jadida district, according to a medic, a security source and the Iraqi Network for Social Media (INSM), a collection of activists who reported on the protests and their aftermath. All three sources confirmed to AFP that Iraqi died on his arrival at the nearby Sheikh Zayed hospital.

Baghdad al-Jadida is a few kilometres (miles) from Tahrir Square, the epicentre of the capital's protests from where Iraqi, always energetic, would broadcast live footage.

INSM said he had already been targeted twice before Tuesday's shooting.

In his last post on Facebook on Tuesday afternoon, Iraqi had written: "The innocent die while the cowards rule."

Nearly 600 people have lost their lives in protest-related violence since rallies began in October 2019, including young organisers who were shot dead. Prime Minister Mustafa al-Kadhemi, who came to power in May after street pressure forced the previous premier to resign, has pledged to protect rallies and arrest those responsible for past violence.

But last week, eight local and international rights groups said they were worried about "the lack of accountability for the extrajudicial executions that have taken place this year, targeting individuals for their peaceful expression."

The authorities' "failure" to bring the perpetrators to justice was "perpetuating and further entrenching decades of impunity that have left brave individuals without the most basic protection," the groups said, which included Amnesty and Human Rights Watch.

HRW on Tuesday cited the recent case of Arshad Heibat Fakhry. The 31-year-old has not been heard from since he was detained by unidentified armed men in November.

HRW said Kadhemi's government "has precious little to show for these promises, and disappearances have continued."



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