



General Assembly

Distr.: General
12 February 2013

English only

Human Rights Council

Twenty-second session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Kham Rehabilitation Center for Victims of Torture, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2013]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

George Ibrahim Abdallah: Lebanese political pawn in French prisons

In 1999, Abdallah completed the minimum portion of his life sentence, but several parole requests were denied.

On 19 November 2003, the parole court in the French district of Pau agreed to release Georges Abdallah. The move angered the French Public Prosecution, which rushed to appeal the decision at the request of the justice minister. It succeeded in having the ruling suspended by the court in Pau.

On 16 January 2004, the National Parole Court re-examined the case. However, the court came under pressure from the French justice minister, who in turn was under US-Israeli pressure. Abdallah was subsequently denied parole.

On 31 January 2006, the court refused to release Abdallah after prosecutors argued that France's image would be undermined with the US and its allies should it release him.

The prosecutors further claimed that Abdallah's deportation would not guarantee that he wouldn't return to the same types of acts he carried out in the past and that the psychiatrist's report was insufficient in this regard.

The prosecution gave another reason for opposing Abdallah's release, namely that he had not paid compensations to the victims, estimated by the court to stand at 53,357 Euros, bearing in mind that his family has pledged to pay all such compensations.

On 6 February 2007, Abdallah requested parole for the 7th time only to be rejected once again. Abdallah appealed the ruling, but a decision was postponed until April 2008. The surprise was that the judges, instead of pronouncing the appeal verdict, decided to refer Abdallah's case from the parole court to a special committee.

On 17 June 2008, Abdallah's case was referred to a "special committee" in accordance with the provisions of Dati's Law. Abdallah was formally notified of this, and the committee was set to issue its ruling in September 2008. The ruling was postponed yet again to 9 January 2009 when the court rejected the parole request.

On 21 November 2012, the Sentence Enforcement Chamber of Paris (TAP) had approved Abdallah's request for parole on the condition that he be expelled from France. On 10 January 2013, the Court of Appeals in Paris upheld the TAP's ruling, and rejected the appeal submitted by the French Public Prosecution, settling the controversy regarding its final and unequivocal decision to release Abdallah.

On 14 January 2013 Abdallah was supposed to appear one last time before the French judge, to be read the terms of his conditional release, which requires him to be deported from France. But French Minister of Interior Manuel Val's refused to sign Abdallah's deportation order. The court postponed the release until 28 January 2013.

On 17 January 2013 the French prosecution requested a new appeal against the release of Abdallah saying that the deportation process should be done and secured before the court decision to grant conditional release.

Political considerations had trumped legal ones after the interior minister's move. Usually, the authorities may refrain from deporting a foreign national if it suspects that the country of destination, whether it is the foreigner's home country or a third country, may mistreat or torture him.

In this event, the authorities often respect the wishes of the foreigner to be deported, to remain under house arrest or in refugee facilities, after serving his or her sentence.

In Georges Abdallah's case, the opposite is true. The Lebanese government has expressed on several occasions its willingness to receive him."

This is not the first time that legal proceedings have clashed with political calculations, which makes Abdallah's case the "scandal of the age," in the words of Yves Bonnet, the former head of French intelligence services (DST). Since 1999, Abdallah has met all the conditions that make him eligible for parole, something that prompted the French judicial authorities to revisit his case several times over the past years.

As it turns out, there are five parole requirements stipulated in the French Penal Code. The first condition is good conduct in prison, which Abdallah has met according to the testimony of the French court itself.

Second, there has to be someone providing him with assistance in case he is released, a requirement that is met as per the documents that have been provided by Abdallah's family, at the request of the French authorities, since 2003.

Third, the parolee must be able to pursue a vocation, a condition already satisfied by Abdallah, who is part of the Lebanese Ministry of Education's teaching cadre.

Fourth, the parolee must be in good mental health, which, according to the reports of Abdallah's psychiatrist, has been fulfilled.

Finally, the parolee must not pose a threat to French society, a requirement that the judiciary has undertaken to fulfil by ensuring that Abdallah is deported by the French interior ministry to Lebanon, or any third country that agrees to host him.

It was this requirement that the French interior minister exploited on 14 January 2013 in reverse fashion, to block the Lebanese prisoner's conditional release.
