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

Written statement* submitted by Conseil International pour le soutien à des procès équitables et aux Droits de l'Homme, 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.

[11 February 2019]

* Issued as received, in the language(s) of submission only.



The unfairness of the Lebanese judiciary threatens the life of Hannibal Muammar Gaddafi

In the light of the political and security crisis in Libya, the son of the late Libyan leader Muammar Gaddafi went as a politically refugee to the Syrian Arab Republic. but, the issue of the disappearance of Mr. Musa al-Sadr with two others in Libya during his father's presidency made him a victim between the Lebanese judiciary hands.

On December 11, 2015, armed elements belonging to former Lebanese MP Hussein Yaqoub were ambushed Hannibal al-Gaddafi in Syria, where he was kidnapped, beaten and severely tortured. despite of at that time, he was not wanted for any cases in Lebanon, until he was abducted, and he was forcibly hidden by his kidnappers, after several parties moved, his captors were forced to hand him over to the authorities, where the Lebanese judiciary immediately issued an arrest warrant against him for the crime of conceal information about the incident of disappearance of Musa al-Sadr. Knowing that Hannibal was then two years old at the time of the incident, he was born in 1976 and the incident of the disappearance of Mousa al-Sadr in 1978. He was then accused of insulting the Lebanese judiciary, which refusal the presence of a lawyer with Hannibal and was arrested for a year and a half and is still in detention.

During his detention with the Lebanese authorities, he was denied visits, means of communication, and surveillance by cameras, but he was accused of kidnapping Dr. Hussein al-Hobeish in Libya, claiming that Hannibal committed abductions, seized freedom, composed terrorist groups and gangs, and attempted murder.

In the lack of justice and Integrity of the judiciary and which dominated by sectarian thought, the offender turned to the victim and the victim to the perpetrator, where he was released from the kidnapping of Hannibal who torture and beating him, which violating all regulations relating to basic human rights, while Hannibal still lies behind the bars of Lebanese prisons, with no end. According to article 5 of the Universal Declaration of Human Rights, no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

The International Council Supporting Fair Trial and Human Rights holds the Lebanese authorities and judiciary are responsible for kidnapping Son of late Libyan leader Muammar Gaddafi, His concealment and arbitrary detention without legal support.

Based on the principle of the rule of law and the inadmissibility of The forcible detention of any person and punishment of any person for an offense he has not committed and his legitimate right to self-defense and his right to a fair trial, What the Lebanese authorities have done against Hannibal is Considered as a serious violations of human rights and international relations.

We emphasize that article 11 of the Universal Declaration of Human Rights provides that

"No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed."

The Lebanese authorities are also responsible for maintaining his health and ensuring that he is not at risk and tortured, especially after the leaking of photographs and videos for what he was exposed of the worst forms of violence.

The Lebanese judiciary must give clear reasons and sufficient evidence to keep Hannibal in jail until the moment and stop fabricating the successive charges. It is unacceptable that he be accused of being silent about the incident of the kidnapping of Imam Musa Sadr, when he was only two years old. With the knowledge that Hannibal's detained after his abduction was on the basis of information conceal, was based on Article 408 of Lebanese Law, which is contravenes Article 410 of the same law, which states that it is not punishable and expressly prohibits the prosecution of the branch on who information conceal relating to a crime that is accused of his origin Muammar Gaddafi.

In case of the absence of sufficient justifications for keeping him in detention, the Lebanese authorities must immediately release him and return him to the country of asylum in Syria, on the basis of the Recovery Memo submitted by the Syrian judicial authorities to its counterpart in Lebanon, the guarantees must also be provided that they will not be exposed to him once again, and compensation for the damage caused to him in this manner.

It is also the duty of the Lebanese judiciary to respect the legal procedures that must be followed and not to legitimize the policy of kidnapping by gangs and then to try before its courts and to observe the principle of neutrality and impartiality and to refrain from interfering with the religious community in issuing verdicts.
