

# Lawyers seek justice from Council of Europe for Demirtas case

Author:

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ANKARA: Turkey's refusal to implement the rulings of the European Court of Human Rights (ECHR) has pushed lawyers of Kurdish politician Selahattin Demirtas to take the case to the country's top court.

One of his lawyers also filed an application to the Council of Europe ministers' committee at the same time.

Demirtas, the former co-chair of the pro-Kurdish Peoples' Democratic Party (HDP), has been imprisoned since Nov. 4, 2016.

The ECHR ruled that the Kurdish politician's rights were violated after he was given a 10-month prison sentence for his remarks on the Kurdish Roj TV show in 2005 during his Diyarbakir chairmanship of the left-wing Human Rights Association.

He was accused of making terror propaganda for this speech. The European court ruled its member country Turkey should pay compensation to Demirtas for the violation of his freedom of expression.

But the Turkish court rejected all requests for a retrial and acquittal, saying there was no need for it and ignored the ECHR ruling.

A continued non-execution of the rulings of the ECHR is considered a challenge to the court's authority, and according to Article 46 of the European Convention on Human Rights, contracting parties must abide by the rulings of the court to which they are parties. Otherwise they can face fines from the court, while the Parliamentary Assembly of the Council of Europe is able to decide to monitor the country in question.

Amnesty International and Human Rights Watch (HRW) recently sent a joint letter to EU ministers calling on them to address rights concerns in Turkey and enforce "the European Court of Human Rights' rulings that Osman Kavala and Selahattin Demirtas should be immediately released from their prolonged and arbitrary detention."

Demirtas, who is taking regular medication for a heart condition, was excluded from a recent law adopted in April 2020 where about 90,000 prisoners, including those with chronic diseases, were released from overcrowded prisons in Turkey.

HRW Turkey Director Emma Sinclair-Webb said that this was a tale of craftiness by Turkey, with its deeply politicized justice system, versus the slowness of the European court.

"It has been over ten months since the grand chamber of the European court

held a hearing to examine Demirtas's case, and disappointingly the court still hasn't issued its verdict," she told Arab News. "That grand chamber hearing followed a ruling in 2018 where the European court found that by keeping Demirtas jailed, Turkey was 'stifling pluralism and limiting freedom of political debate,' the very core of the concept of a democratic society."

Sinclair-Webb noted that it was a very important ruling – the first to say that Turkey uses prolonged detention in a politically motivated way and that it should immediately release Demirtas.

According to Sinclair-Webb, Turkey's conduct during the affair proves the European court right, as at every stage of the process Turkey has found excuses not to implement the ruling and release Demirtas.

"First the Turkish authorities said "the decision isn't final, we are waiting for the grand chamber decision." Then they said, "Oh now we are holding him in relation to a new investigation," and I would expect that they will argue when it finally comes that the grand chamber decision doesn't apply. We have seen exactly the same playbook in relation to human rights defender Osman Kavala," she said.

As the charge on which Demirtas is currently held relates to evidence for which he is already on trial and in the scope of which he was released from detention, Sinclair-Webb said there was therefore no ground to hold him in pretrial detention.

"It is a cynical and politically motivated decision to keep him locked up, has nothing to do with law, and once again completely discredits the justice system," she said.

Demirtas is kept behind bars over terror charges and faces a sentence of up to 142 years. He is now being held in relation to protests in the Kurdish-majority southeastern provinces of Turkey in October 2014, despite not being named as a suspect in that investigation.

The Council of Europe, a human rights organization of which Turkey is a founding member, cannot issue an official verdict on a case until all avenues of the domestic judicial system in Turkey have been exhausted.

Mesut Bestas, one of Demirtas's lawyers who lodged the application with the Council of Europe, is still hopeful for the leverage of the European top court on the Turkish Constitutional Court to revise the Demirtas decision.

"Although we cannot foresee how long it will take for the constitutional court and the ECHR to announce their ruling, it is a simple application under normal conditions and there are several case laws in this matter. I'm sure the Turkish Constitutional Court will revise the mistake made by the local court," he told Arab News.

In the meantime, the Turkish Constitutional Court of Turkey ordered in late June the release of Demirtas and ruled that his right to liberty had been violated because his detention had exceeded "a reasonable time." It ordered that compensation of 50,000 Turkish lira (\$7,289) be paid to the Kurdish

leader.

“We assume that Turkey will not burn all the bridges with the law. Otherwise none of us will have the guarantee to live under legal assurances,” Bestas said.



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## [Dangers threatening Egypt on July revolution anniversary, El-Sisi says](#)

Author:

Fri, 2020-07-24 00:39

CAIRO: Egyptian President Abdel-Fattah El-Sisi addressed the Egyptian people in a statement marking the 68th anniversary of the July 1952 Revolution, stressing that “time has demonstrated the nobility of the goals of the revolution.”

El-Sisi extended his “sincere greetings to the symbol of the revolution” –

former Egyptian presidents Mohamed Naguib and Gamal Abdel-Nasser.

"The days and years pass carrying events and memories that remain glued in the minds of the people . . . generation after generation and the history of Egypt abound in the glories of those events that we use as inspiration. July 23 1952 remains one of the most important days of our glory and one of the most prominent moments of our pride. As the 68th anniversary of this glorious revolution arrives, we recall our people's struggle for freedom," the president said.

"Our celebration of the glorious July revolution has always been an occasion in which we derive determination to achieve the aspirations of our people and their hopes for a bright future for themselves and for future generations, those generations who have the right to live a decent life in a secure, stable and prosperous country," he said.

"In the spirit of the July Revolution and its goals, the country is continuing to implement a comprehensive strategic vision and unique development to build a strong and advanced homeland in all fields by setting up major national projects in all parts of the country and promoting work values and modern science and its approaches in all aspects of our lives. All this with the aim to help the Egyptian face challenges and take from his ancient legacy as a starting point toward achieving everything that he aspires to in the shortest possible time," the president said.

"Just as the generation of the July revolution was on a date with destiny, God has determined that this generation face challenges that Egypt has not gone through in its recent history. The threats to our national security make us more eager to possess the comprehensive and influential ability to preserve the rights of the people.

"You may be aware of the extreme dangers of high sensitivity currently surrounding the country and requiring that all Egyptians be confident in their abilities to pass through crises in a way that preserves Egypt's security and guarantees Egyptians their right to life in a stable homeland and a nation that seeks to value cooperation, construction and peace which are the basis for human relations among all peoples."

Al-Azhar, Islam's seat of learning, and the church also issued two separate statements in celebration of the July revolution, highlighting the need to confront the threats facing Egypt's national security.

Al-Azhar Grand Imam Ahmed El-Tayeb stressed the need to be aware of the challenges facing Egypt and join hands for the sake of the nation, and to put the nation's interest above any individual interest.

El-Tayeb praised Egypt's constant concern for peaceful solutions as a firm doctrine of the Egyptian armed forces, asking God to protect Egypt, Libya and the Arab nation from all harm.

Egyptian churches in their various denominations declared their support for the Egyptian state, the political leadership and the armed forces in facing

the challenges facing the region to preserve the state. The General Milli Council and the Coptic Endowments Authority of the Orthodox Church issued a statement declaring their support for El-Sisi's position in support of the Libyan people and their struggle against the "Turkish colonizer."

"Members and deputies of the General Council and the Coptic Endowments Authority support the courageous stance taken by President El-Sisi to support the Libyan people in their struggle against the Turkish colonizer and to protect the borders of Western Egypt. At the same time, they pray for the safety of each of the brave soldiers of Egypt's army, and never forget how the Egyptian army took revenge on the martyrs of the Egyptian Copts who were martyred by the terrorist groups in Libya," the churches' statement said.

A number of political experts stressed the issue of unification of all state bodies in the face of the dangers posed to Egyptians.

"Ethiopia and Libya are two sides of the same coin, and two issues that are equally important for Egypt," political expert Hani Assal said.

"There is no priority for one issue over the other. The first is a water security issue, the second is a border security issue and the two are national security issues, a struggle for survival, and life or death for Egypt and its people," Assal said.

Assal said that there was no difference "between those who plan to kill Egyptians hoping to gain control of the south, and those who plan to kill them with weapons from the side of the Islamic State."

"Those who assume that we have to fear and that war is difficult must remember that we have been in war since 2011, and that thousands of martyrs, both military and civilian, have already fallen and we are ready to provide more, rather than give up our rights," Assal said.

"(Egypt will remain) in between wars, threats, conflicts and conspiracies forever, and we will remain a joint force, and we will come out of all of this safe and secure, God willing, and modern and far back history attests to that," Al-Ahram writer Hagar Salah said.

"We will continue to back up our leaders and our army and keep our trust in them, and have them depend on us. We do not fear wars, nor are we shaken by psychological wars, nor provocations, frustrations, conspiracies or betrayals," Salah said.

Egypt is currently facing a two-pronged foreign policy crisis. Egypt fears Ethiopia's Renaissance dam will greatly reduce its access to water. In neighboring Libya, forces loyal to the Government of National Accord (GNA), who are supported by Turkey, are reportedly planning to launch an attack on the port city of Sirte and Al-Jufra, which El-Sisi has called "red lines" in terms of Egypt's security.



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## [British Daesh terrorists dubbed the 'Beatles' admit mistreatment of US aid worker](#)

Author:

Arab News

ID:

1595536962908525400

Thu, 2020-07-23 23:39

LONDON: Two of the British Daesh terrorists dubbed the "Beatles" further incriminated themselves in mistreating Western hostages in Syria, including American Kayla Mueller.

The two men, Alexandra Kotey and El Shafee Elsheikh, for the first time admitted their involvement in the captivity of Mueller, an aid worker who was held captive and tortured and sexually abused before her death in 2015.

In interviews [obtained by NBC News](#), Kotey said: "She was in a room by herself that no one would go in."

Elsheikh got into more detail, saying: "I took an email from her myself," meaning he got an email address Daesh could use to demand ransom from the family. "She was in a large room, it was dark, and she was alone, and she was very scared."

Daesh demanded the Muellers pay €5m (£4.55m) and threatened that if the demands weren't met, they would send the family "a picture of Kayla's dead body."

In captivity, Kayla was taken to live with a senior Daesh official, and was raped by the former Daesh leader, Abu Bakr Al-Baghdadi, US officials have said.

Kayla is believed to have died in 2015 in what Daesh said was a Jordanian airstrike

Kotey and Elsheikh are both in US military custody in Iraq amid questions over how and when they will face justice.

US and British authorities say the so-called Beatles were responsible for 27 killings, including the beheadings of Americans James Foley, Steven Sotloff and Peter Kassig, and British aid workers David Haines and Alan Henning.



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[El Shafee Elsheikh](#)

[Kayla Mueller](#)

Arab News profiles four Daesh extremists who became known as the 'Beatles Cell' Families of Daesh 'Beatles cell' welcome their capture

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## [Fighter jets intercept Iranian passenger plane over Syria](#)

Thu, 2020-07-23 22:56

BEIRUT: An Iranian passenger plane was intercepted by two fighter jets in Syrian airspace during a flight from Tehran to Beirut.

The pilot of the Mahan Air plane said two US jets approached the airliner forcing him to change altitude to avoid a collision, Iran's IRIB news agency reported.

Earlier, the agency said the Airbus A310 had been approached by a single Israeli jet.

**#BREAKING:** Pilot of Iranian plane had to change altitude quickly, injuring several passengers – Iranian news agency <https://t.co/rqULvmaHe0> [pic.twitter.com/V0oLY0yGpQ](https://pic.twitter.com/V0oLY0yGpQ)

– Arab News (@arabnews) [July 23, 2020](#)

Aviation experts told Arab News that the plane, Flight 1152, landed at Rafic Hariri International Airport at 7.50 p.m. after flying from Tehran through the airspace of Iraq and Syria.

The two warplanes intercepted the plane at 6.14 p.m.

Fight tracking data showed the plane dive and then climb again.

"The pilot was forced to suddenly increase the altitude by 350ft to avoid the intercepting planes, which led to the state of turbulence inside the plane," a source from Lebanese Plane Spotters said.

Immediately after the plane landed, video circulated on social media showing the shocked passengers on board, a child with a bandaged head and another person with a head wound. The passengers' contents were scattered across

seats and along the floor. Some passengers were wearing life jackets. In another video passengers could be heard screaming and in panic. Photos claimed to show the two intercepted planes.

Initial ADS-B data regarding a reported incident involving an Iranian airliner today enroute to Beirut. <https://t.co/Lh7krY14Sc>  
We are currently processing granular data.  
<pic.twitter.com/38T7fA4J4w>

– Flightradar24 (@flightradar24) [July 23, 2020](#)

Ambulances were seen on the runway in Beirut transporting four injured passengers, including an elderly man, to hospital.

The US imposed sanctions on Mahan Air in 2011, saying it provided financial and other support to Iran's Revolutionary Guards

In a separate incident, Lebanese Army Command said an "Israeli enemy reconnaissance plane" entered Lebanese airspace in the morning over the town of Kafr Kila, and carried out a circular flight over southern Lebanon.

The military added that a similar enemy plane "violated Lebanese airspace" over the town of Aitaroun shortly after.

\*With Reuters



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## [Financial crisis, virus hit Lebanon's hospitals](#)

Author:

Thu, 2020-07-23 02:13

BEIRUT: Lebanon's hospitals, long considered among the best in the Middle East, are cracking under the country's financial crisis, struggling to pay staff, keep equipment running or even stay open amid a surge in coronavirus cases.

Private hospitals, the engine of the health system, warn they may have to shut down. Chronically underfunded public hospitals, which have led the fight

against the virus, fear they will be overrun.

Across the country, hospitals and doctors are reporting shortages in vital medical supplies such as anesthesia drugs and sutures. With power cuts that run through most of the day, they pour money into fuel for generators, and many are turning away noncritical cases to conserve resources.

"The situation is really catastrophic, and we expect a total collapse if the government doesn't come up with a rescue plan," said Selim Abi Saleh, the head of the Physicians Union in northern Lebanon, one of the country's poorest and most populated regions.

One of the country's oldest and most prestigious university hospitals, the American University Medical Center, laid off hundreds of its staff last week citing the "disastrous" state of the economy and causing uproar and concern.

Medical facilities have let go of nurses and reduced salaries, their finances running dry in part because they can't collect millions owed to them by the state. Nearly a third of Lebanon's 15,000 physicians aim to migrate or already have, a doctors' union official said, based on the number who have sought union documents they can use abroad to prove their credentials.

So far Lebanon has kept a handle on its pandemic outbreak, through strong lockdowns, aggressive testing and a quick response, largely by public hospitals. The country has reported fewer than 3,000 infections and 41 deaths.

But with cases rising, many in the field fear the health sector can't hold up under a surge and a financial crisis worsening every day.

Lebanon's liquidity crunch has crippled the government's ability to provide fuel, electricity and basic services. The shortage of dollars is gutting imports, including medical supplies and drugs.

Prices have spiraled, unemployment is above 30 percent and nearly half the population of 5 million now live in poverty.

Private hospitals, which make up around 85 percent of the country's facilities, emerged dominant after the country's brutal 15-year civil war to become the pride of Lebanon's system, drawing patients from around the region with specialized services and advanced surgeries.

But the entire health sector, like much of the country, has also run on political jockeying and patronage in Lebanon's sectarian system. Medical practitioners say political considerations determine the size of state funds and financial caps to private hospitals, while public facilities suffer from understaffing and neglect.

The insurance system, with multiple health funds, is chaotic, making collection difficult and coverage patchy. For years, state insurance funds failed to reimburse hospitals. Private hospitals say they are owed \$1.3 billion, some of it dating back to 2011.

"We can't fight COVID and at the same time keep looking behind our backs to see whether I have enough financial and material resources," said Firas Abiad, director general of Rafik Hariri University Hospital, the public hospital leading the coronavirus fight.

Abiad, who has won praise for his transparency in handling the pandemic, is getting by with stop-gap measures. When he raised alarm this month that the hospital was running out of fuel, a rush of private donations flowed in. The government pledged to provide fuel for public facilities.

"I doubt anybody has any long-term strategy," Abiad said. "We are doing it one fight at a time, and we are surviving one day at a time."

Financing must be priority, he said. "Generators can't run on empty, without fuel. Hospitals can't run without financing."

Minister of Health Hamad Hassan told The Associated Press Monday he was counting on government support to keep hospitals as a "red line." But he urged hospitals to do their part to push through the crisis.

"Hospitals have invested in this sector for 40 years. Whoever has invested that long should have the courage to invest for six months or a year to help his people and not give up on them," he said.

Private hospitals' struggles are compounded by a banking sector crisis that has locked down foreign currency accounts and complicated imports and the issuing of letters of credit.

In the northern village of Majdalaiya, the state-of-the-art, 100-bed Family Medical Center hospital stood nearly empty last week. Its owner, oncologist Kayssar Mawad, said he had to shut down one of the five floors to save costs.

Mawad has had to refuse patients with state insurance. The government already owes him millions of dollars, he said.

"It has to be a life or death situation," Mawad said. "This is not sustainable."

He said in recent weeks, he admitted 20 patients at most, while treating others as outpatients to save costs. His facility is prepared to deal with COVID-19 patients but he said it won't because it is too expensive.

"We don't want to get to a Venezuela-scenario where we diagnose the patient but ask them to bring their own medicine, food, and sheets," he said. "I hope we don't get there."

There was only one baby in the hospital's 13-bed neonatal unit. On the adults' floor, there were three patients.

One of them, an 83-year-old man recovering from arterial surgery, had to pay out of pocket because his private insurance won't cover the room or the stent. If a brother hadn't come from Germany to cover the costs, "he would have died," said his daughter, Mayada Qaddour.

The 32 public hospitals won't be able to fill the place of private hospitals threatened with closure, said Ahmad Moghrabi, chairman of Orange Nassau, Lebanon's only government-run maternity hospital.

Moghrabi, now in his 70s, rebuilt the hospital in the northern city of Tripoli from scratch since he took it over in 2003, almost totally through foreign donations. Still, it relies on state funds and insurance payments – both minimal – so it has never been able to operate at full capacity of 5,000 births a year.

Now desperately short of funds and fuel, the hospital has to juggle priorities. It suspended its neonatal unit to keep life-saving dialysis running.

“In 2020, (a hospital) can't do without a neonatal unit,” Moghrabi said. “With the current circumstances in Lebanon, we are going back to the 1960s, even further.”



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