

## Anti-Hezbollah cleric languishes in jail

Shane Farrell

On his way to Mecca to perform the Umrah pilgrimage, Sheikh Hassan Mushaymesh was apprehended and incarcerated in Syria on July 7, 2010. For the first few months of his captivity, his family knew nothing of his whereabouts. Then, when Syrian authorities revealed that he had been taken into custody, no explanation was given for his arrest.

This prompted human rights watchdog Amnesty International to release a statement calling for his whereabouts to be disclosed and for Mushaymesh to be released or charged with a recognizable offence.

“We only found out where he was being kept once the [Syrian anti-regime] uprisings began [in March],” said his son Reda, and that was only because Mushaymesh managed to pass on his whereabouts to a third party, who then communicated it to his family.



Lebanese Shia cleric Sheikh Hassan Mushaymesh, a critic of Syrian-backed Hezbollah, has been detained in Syria on suspicion of spying for Israel. (AFP photo/Mahmoud Zayat)

Sheikh Mohammad Ali al-Haj, vice president of the Convention of Independent Shia Clerics, a group critical of Hezbollah that counted Mushaymesh as one of its members, visited Mushaymesh two months ago and alleges that the sheikh was badly treated in jail. “He told me about how he was being tortured and beaten up,” Haj said. “He told me he ‘nearly saw death.’”

Mushaymesh, who suffers from a slipped disc in his back, was continuously thrown in the air by prison guards and let fall on the ground, according to Haj.

The reasons for his arrest are disputed.

According to a Syrian judicial document obtained by Mushaymesh’s family, the former Hezbollah member was alleged to have received \$3,000 and promised residency in Germany to investigate and gather information on the party—including its weapons gathering, relations with Iran and on the assassination of military commander Imad Mughniyeh—and pass it on to agents of the Israeli intelligence agency Mossad.

However, Reda Mushaymesh says the charges are completely unjustified and unfounded. Instead, he believes his father was specifically targeted because in 1997 he left Hezbollah, a close ally of the Syrian leadership, and has frequently criticized the party ever since, specifically in his monthly magazine, *Difaf*. He also feels the arrest was a warning to the Convention of Independent Shia Clerics, as Hezbollah views the organization as a threat to its authority and politics, especially in the party’s strongholds in southern Lebanon.

A group called “Friends of Sheikh Mohammed Mushaymesh” supports this view, and issued a statement on September 7 that said, “The Syrian government is attempting to leverage Sheikh Hassan Mushaymesh’s detention in an effort to ‘teach a lesson’ to the Shia who believe in free speech, particularly the Ulemas.”

The statement followed two major developments in Mushaymesh’s case.

The first occurred on August 21, when the First Referral Tribunal, which examined the case, dismissed it on the grounds that the Syrian judiciary did not have the authority to try such a case. This is because Mushaymesh is not a Syrian citizen or resident, and his alleged crimes were neither directed at Syria nor carried out there.

The second development was the appeal of this decision by the Syrian Public Prosecutor on September 6, a move Reda Mushaymesh believes is politically motivated. He feels his father's release without charge would reflect poorly on Hezbollah, particularly at a time when some are alleging the Party of God negotiated with Free Patriotic Movement (FPM) leader Michel Aoun for a light sentence to be imposed on former Brigadier Fayez Karam, an FPM member also accused of passing information to the Israelis.

NOW Lebanon contacted the Lebanese Foreign and Judicial ministries to ask if they were following up on the case and could ascertain the veracity of the charges against Mushaymesh.

Foreign Minister Adnan Mansour revealed Friday that he is expecting to hear back from the Syrian authorities by the end of the weekend. However, he added that it is up to the Minister of Justice to follow up on the matter.

Justice Minister Shakib Qortbawi, meanwhile, said he is not aware of the details of the case and since it is not in a Lebanese court, it is the Foreign Ministry's responsibility. He told NOW Lebanon that he plans to contact the Foreign Minister for more information on the case.

*Nadine Elali and Amani Hamad contributed reporting.*



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