

### Sheikh Hassan Mchaymech Sentenced to Five Years in Prison

After having spent more than a year in legal limbo and being forced to accept eleven trial postponements, Sheikh Hassan Mchaymech was finally sentenced by Lebanon's Military Court to serve five years in prison. The court records indicate that Sheikh Mchaymech was officially charged with two counts of conspiring with Israel, for which he was sentenced and stripped of his civil rights.

During the proceedings, the Sheikh's lawyer, Antoine Nehmeh, questioned the validity of the lawsuit against his client and encouraged him to respond to the court's findings. The Sheikh began, "I want to speak on another matter that was previously reported in the trial, if allowed by the law, because this is a historic day for me and my family." However, court prosecutor Kamal Nassar interrupted the Sheikh as soon as he began his speech, purportedly because comments by the accused are typically allowed only during witness proceedings or when specifically requested by the court. Notably, Mr. Nassar originally sought the death penalty in the case.

Later, Sheikh Mchaymech interrupted his lawyer and requested the death penalty be carried out if it is proven that his telephone records (which were submitted by the prosecution and constitute the bulk of its evidence against him) are indeed accurate and true. The defense maintains that the records originally entered into evidence were falsified to show "questionable foreign numbers." Despite the Sheikh's lawyer having submitted during the last court session original copies of the phone bills—records that highlight the discrepancy—the action has largely been ignored.

However, the verdict should not be touted as a success despite its seemingly minor nature. In a country where even petty crimes can result in five-year sentences, this ostensibly trivial verdict only serves to belittle the Sheikh's struggles. Clearly, a five-year prison term does not seem appropriate



for someone found to have committed the grave crime of treason, for which the maximum sentence is death. Instead, the court's action seems more like an attempt to cast the affair aside by lumping it in with the greater collection of crimes in Lebanon—despite the horrendous label the sentence places on the Sheikh's head. Sheikh Mchaymech must now reconsider his future after having been judged a traitor despite his innocence, and that fact will likely affect him significantly in terms of his religious, social and political pursuits.

Interestingly, while the time (30 months) the Sheikh has already spent in Lebanese prisons will be applied to his sentence, it is still unclear how much of the time he spent in Syrian detention will be included. Specifically, Sheikh Mchaymech's imprisonment in Syria consisted of two parts. During the first portion, his presence was unacknowledged by the Syrian authorities while in the second, he was recognized officially as a detainee.

Ultimately, April 15 will certainly become a milestone on the Sheikh's legal journey. Regardless of the veracity of the court's findings, he can now begin the appeals process. Unfortunately, the languid pace of the Lebanese judiciary will likely force Sheikh Hassan to serve the entire five-year sentence, as the legal course he must negotiate will be rife with challenges, both genuine and ad hoc.