

## EXCLUSIVE - Al Anbaa called MP Walid Eido 15 mins prior to his assassination: the court

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 Al Anbaa called him 15 mins prior to his martyrdom, Edio: the court

On June 14, the Kuwaiti newspaper Al Anbaa carried an interview with slain Deputy Walid Eido, by Ittihad Darwish who conducted the interview the same day on which Eido was assassinated: "When I called Deputy Walid Eido on 5:15 PM to complete some points of the interview which Al Anbaa conducted in the morning, he was preparing himself for martyrdom. He told me: "Ittihad, I will be available starting at 7:30 PM"; I didn't know where he was or what his destiny could be. He confirmed that he would be at 7:30 [PM] on the phone number "that you have". He was aware not to mention the number [landline] while we were talking on the cell phone. With a bit of caution, he tried to convince me to meet tomorrow in the Parliament, but after I insisted, he agreed to conduct a phone meeting". The following is the transcript of the interview:

Q: "Now that the international tribunal was ratified in the Security Council, is it still called a tribunal with an international character or only an international tribunal?"

A: "The opinions differ regarding the name of the tribunal after it was ratified in the Security Council without passing through the Lebanese constitutional institutions. Apparently, we can call it an international court because it is produced by the Security Council without any agreement between the latter and the Lebanese government. As for the content, the basis agreed upon between the United Nations and the Lebanese governments is still available regarding the appointment of Lebanese magistrates and the necessity to refer to Lebanese laws upon the implementation process, in addition to the agreement that must be held between the United Nations and Lebanon on the location and funding. Hence, at the level of the structure, the court is an international tribunal, while on the level of the content; it is a tribunal with an international character.

Q: "Do you think that ratifying the tribunal without an internal consensus succeeded in ending a harsh period of internal disagreements over the court?"

A: "Undoubtedly, the ratification of the international tribunal in the Security Council means that the stage of the struggle over the truth and justice in Lebanon has ended in the interest of justice and the Lebanese people. We hope [the court] succeeded in putting an end to a big disagreement. In fact, the court headed the agenda of national dialogue, and all the Lebanese rival leaders affirmed that the international court is a consensual issue. But in fact, we witnessed many obstacles which I believe were not only [seen in] the retreat from supporting the court, but also in the efforts made to hinder the agreement signed between the United Nations and the Lebanese government in this regard.

It is necessary to say that the court is not a means for revenge because no one could restore the Martyr Rafik Hariri or the other martyrs, but we can say it is a gate to put an end, not to terrorism which will presumably continue just as the sedition and destabilization attempts will remain ongoing, but indeed, the perpetrator of the crimes will bear in mind that he will be prosecuted or revealed.

Q: "How do you read the voices that cautioned against ratifying the international tribunal with its adopted formula [under Chapter 7], as many domestic and regional and international sides announced, and the thing that was clearly revealed among the members of the Security Council?"

A: "We have heard an echo for statements made by Syria and some of the Lebanese. Many sides warned that ratifying the court will constitute a prelude for chaos, instability, and internal struggles. But in fact, the result should be contrary to what had been said. As we said before, certain Lebanese sides are embarrassed by the issue of the court and its ratification inside the Lebanese institutions. Now that the court has become a true reality, the Lebanese should act upon the fact that the court, on which they were unanimous, has become a reality and that no one is capable of hindering it.

Q: "There are some sides saying that the ratification of the international court under Chapter 7 [of the UN Charter] according to UNSCR 1757, placed the Lebanese State under an international tutelage?"

&ldquo;A: &ldquo;The Security Council is eligible to take adequate measures when world peace in any region is threatened or when there are terrorist activities which lead to the destabilization of world peace. Accordingly, this doesn&rsquo;t undermine sovereignty, it is a translation for a legal article in the UN Charter, which we have agreed on and we consider ourselves as one of the countries that participated in drafting this Charter&hellip; There is a Lebanese majority and there is a Lebanese consensus on the court, and thus, the Security Council did not replace us, but the constitutional institutions were hindered. Hence, we signed a petition in which we told the parliamentary speaker that we want to convene a parliamentary session in order to vote on the tribunal&hellip;

&ldquo;Q: &ldquo;Does the UNSCR 1757 poses any threats? And what are its consequences? Or is such talk launched by those who reject the court?

&ldquo;A: &ldquo;Let me tell you this, what happened after ratifying the international investigative committee under Chapter 7? Wars didn&rsquo;t break out in Lebanon, and ships didn&rsquo;t arrive to implement this court. And what does it mean if the court is created under Chapter 6 which is not obligatory and accordingly, no one will respond to this court or abide by its requests&hellip; Hence, such a court will not be effective enough. The compulsory characteristic of the court is only ensured through Chapter 7, but without resorting to power since there are many steps to be taken before employing power, which itself necessitates a new resolution by the Security Council&hellip;

&ldquo;Q: &ldquo;Does the court topple all the privileges and immunities and is it capable of arraigning whoever it requests? And what if some persons refuse to respond?

&ldquo;A: &ldquo;This is a very important legal point. First, the court is compulsory and thus, each person whom the court prosecutes is obliged to show up&hellip; According to Lebanese and international law and based on the court&rsquo;s regulations, the court is authorized to arraign anyone who is affiliated with the crime regardless of his status. Undeniably, it is a terrorist crime and the perpetrator &ndash; even if he enjoys a privilege or immunity - should yield to this court and deliver his statements. The text [of the court] stipulates that the court has the right to bring in any person whose statements might be in the interest of the investigation.

&ldquo;As for the superior-subordinate relation, this issue is related to Lebanese law which stipulates that the acts committed by a subordinate do not relive his or her superior of criminal responsibility, according to certain cases and not absolutely. Not every superior is responsible unless he or she knew or had reason to know that the subordinate was about to commit such a crime and the superior failed to take necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof. This is determined by the court&rsquo;s estimations and the judicial work.

&ldquo;Q: &ldquo;There are some [sides] saying that Lebanon has become a prey for internationalization and that security has been internationalized through the international forces [UNIFIL] in the south. They also claim that the economy and judiciary are also internationalized, how do you respond to this?

&ldquo;A: &ldquo;Those who fear the court are issuing such statements. Can you please show me how the judiciary is internationalized? If this is true, who made us reach [this point]? Wouldn&rsquo;t it have been better for those who are launching such allegations to discuss all of these issues in the parliamentary and governmental institutions? Thus, they would have been able to ratify the court under Chapter 6? They made us reach here, and let them shoulder their responsibilities. I want to reassure them that we are not puppets for the US or any other side.

&ldquo;We are just seeking for the truth and justice&hellip; I want to say on behalf of the Future parliamentary bloc that we will not stand against Syria in terms of the state and the people; we will only stand against anyone whom the court condemns and holds him responsible of assassinating slain PM Rafiq Hariri. We only want the truth and if Syria is not the perpetrator, then we will stand by Syria during the trial in order to prevent condemning it.&rdquo;