

LEBANON

LEBANESE REPUBLIC

Head of state: Emile Lahoud

Head of government: Rafiq al-Hariri (replaced Salim al-Huss in October)

Capital: Beirut

Population: 3.2 million

Official language: Arabic

Death penalty: retentionist

2000 treaty ratifications/signatures: UN Convention against Torture

Hundreds of people, including students and suspected opponents of the government, were arrested on political grounds. Most were arrested after demonstrations or other forms of peaceful protest and held in short-term detention. A dozen of the student demonstrators received unfair trials before the Military Court. Hundreds of former members or supporters of the South Lebanon Army (SLA) received summary trials which fell short of international fair trial standards. There were reports of torture and ill-treatment. At least eight people were sentenced to death, but there were no executions.

Background

Former Prime Minister Rafiq al-Hariri won an overwhelming majority in Beirut Province in the August parliamentary elections and was appointed Prime Minister in October.

Israel withdrew from its self-styled "security zone" in south Lebanon in May. Israel's proxy militia, the SLA, collapsed in the wake of the Israeli withdrawal resulting in the release of the remaining detainees in al-Khiam detention centre. Borders between Lebanon and Israel were redrawn under the auspices of the UN, pursuant to Security Council Resolution 425 of 1978. Shab'a Farms in southeast Lebanon remained a disputed territory between the two countries. The UN Interim Force in Lebanon (UNIFIL) was deployed in the former "security zone" following verification of Israeli withdrawal.

Syria maintained its military presence in Lebanon with the agreement of the Lebanese government. There were discussions in Parliament as well as religious and political circles about reassessing the Syrian presence in Lebanon.

At least 31 people died in armed clashes between an Islamist group and Lebanese security forces in the Dinniyah plateau east of Tripoli in north Lebanon. The dead included 18 Islamist militants, two women hostages, and 11 soldiers. More than 50 members of the Islamist group were arrested following these clashes and referred for trial before the Justice Council.

AI opened a regional office for the Middle East in Beirut in October.

Arrests

Hundreds of people were arrested on political grounds. They included suspected members of an Islamist group; students connected with the Free Patriotic Movement, which supports former exiled army commander General Michel 'Aoun; suspected members of the Lebanese Forces (LF) party; and suspected collaborators with the SLA.

☞ At least 90 suspected members or supporters of the unauthorized LF party were arrested in September and October. These arrests followed a church mass and demonstration organized by the LF in Mount Lebanon to commemorate the death of Bashir al-Gemayel, President-elect and founder of the LF who was killed in 1982. Most of those arrested were detained for a few hours or days and released without charge. Some were reportedly forced to sign an undertaking not to engage in any political activity.

☞ At least four people were arrested in August in Junieh by the security forces for possessing and distributing literature calling for a boycott of the August 2000 parliamentary elections. They were released shortly afterwards without charge.

☞ Two brothers, 'Umar and Samer Mas'ud, were arrested in Qubayat in August, reportedly by a joint Lebanese-Syrian force for writing slogans on the walls calling for a boycott of the elections. They were said to have been taken to the Syrian intelligence headquarters in Halba for interrogation. They were released on the same day.

Unfair trials

More than a thousand political prisoners were tried before the Military Court in summary proceedings. Scores of others were tried before the Justice Council whose verdicts are not subject to judicial review. The proceedings of both courts failed to meet international fair trial standards.

☞ In April, 12 students from the Free Patriotic Movement were tried by the Military Court on charges of assaulting the police and obstructing the highway. The students denied the charges, but were sentenced to between 10 and 45 days' imprisonment.

☞ More than 2,300 former SLA members and alleged "collaborators" with Israel were brought for trial before the Military Court. Most were sentenced to between one month and five years' imprisonment and fines or restriction orders. The longest sentence handed down was 15 years' imprisonment.

In breach of international human rights standards, defendants were detained incommunicado by Lebanese military intelligence for up to 10 days. There was concern that such summary trials, with barely seven minutes spent on each individual, neither allowed the innocent to be acquitted nor ensured that those who committed war crimes, including the systematic torture of detainees in Khiam, would be discovered.

☞ At least 63 defendants were referred for trial before the Justice Council in connection with the Dinniyah clashes. The trial was scheduled to start in January 2001.

Torture/ill-treatment

There were some reports of torture and ill-treatment, including police brutality. Methods of torture reported included sleep deprivation, prolonged standing, psychological torture, beating, electric shocks and *Farruj* (chicken) where the victim is strapped to a revolving wooden bar resembling a roasting spit and beaten.

☞ Those detained in connection with the Dinniyah case were allegedly tortured and ill-treated during incommunicado detention. Khaled Minawi, aged 15, was reportedly beaten by members of the security forces during interrogation at al-Qubbah detention centre in Tripoli.

☞ Hiba Ma'sarani, who was being tried by the Criminal Court of Tripoli, stated that she had been repeatedly subjected to different forms of torture, including *Farruj* and beating during pre-trial detention in 1997 and again in February 2000.

☞ Detained asylum-seekers and refugees were also allegedly tortured and ill-treated. Talib Yassir Sabbah, a recognized Iraqi refugee, stated that he was subjected to various forms of torture including *Farruj* and locked up for hours in a small, crowded and overheated cell while in detention in Furn al-Shiback.

☞ During the trial of former SLA members some of the defendants stated that they had been tortured in pre-trial detention.

In none of the above cases were investigations known to have been carried out.

Khiam detention centre

In the wake of the Israeli withdrawal from south Lebanon, and the collapse of the SLA, people in the surrounding areas broke into the Khiam detention centre and set the detainees free. For years torture and ill-treatment had been routine in Khiam where detainees were held outside any legal framework. At the time of their liberation there were 144 remaining detainees, some of whom had spent up to 14 years in detention without charge or trial. Among the detainees were five women, two of whom, Cosette Ibrahim and Najwa Samhat, were hospitalized in March for illnesses incurred as a result of torture and ill-treatment. Sixteen detainees were believed to have died in Khiam as a result of torture during the previous 15 years.

Human rights defenders

Two human rights defenders — Muhammad Muqraby, a lawyer, and Kamal al-Batal, director of the human rights group *Mirsad* — were subjected to harassment and prosecution before criminal and military courts. In May Muhammad Muqraby was charged with libel, defamation and dishonouring the judiciary in connection with criticisms he had made and his allegations of professional misconduct against five named judges. Kamal al-Batal was first summoned by the police for interrogation concerning an urgent appeal issued by *Mirsad* expressing concern about a raid by the Lebanese vice-squad on an Internet service provider, "Destination", and the interrogation of its manager about a

Lebanese gay website. Kamal al-Batal appeared before the Military Court in November on charges of "tarnishing the reputation of the vice-squad". The trials of both men were continuing at the end of the year.

Death penalty

At least eight people were sentenced to death; no one was executed. At the end of the year, 10 people were reported to be on death row.

☞ Hussain 'Ali 'Alyan, a former sergeant in the Lebanese Army, was sentenced to death by the Military Court in January on charges of "collaboration" with Israel.

Three death sentences passed in previous years were upheld by the Criminal Court of Cassation. In March the executions of two men were suspended following the refusal of then Prime Minister Salim al-Huss to sign the death penalty decree.

'Disappearances'

In January the government set up an official Commission of Inquiry into the fate of those missing and kidnapped during the civil war (1975 to 1990). The Commission, which was headed by an army general and composed of four other military and security officers, was created as a result of pressure from the families of the "disappeared". A committee for the Relatives of the Kidnapped and Missing held vigils near the premises of the weekly Cabinet meetings outside the Beirut Museum. In July the Commission made public the conclusions of its report stating that none of the "disappeared" was alive in Lebanon and recommending that those missing for at least four years should be considered dead. A list of 216 people whose families believed they had been taken by Israeli forces or transferred to Israel was sent to the Israeli government through the International Committee of the Red Cross (ICRC). A list of 168 people whose families believed they had been taken by Syrian forces or transferred to Syria was sent to the Syrian government. Both governments denied all knowledge of the whereabouts of those on the lists.

Refugees

Hundreds of refugees and asylum-seekers, especially those from Iraq and Sudan, were periodically detained on charges of illegal entry and residence in Lebanon. Scores of asylum-seekers were deported from Lebanon, some while their cases were still under review by the UN High Commissioner for Refugees (UNHCR). Most claimed that they were tortured or held in conditions amounting to cruel, inhuman or degrading treatment to force them to accept deportation to their countries of origin.

☞ Trabun Ibrahim Laku, a Sudanese national, was arrested in April and detained for six months. He was released in October suffering from partial paralysis and severe back pains. By the end of the year no investigation has been launched into his allegations of torture and ill-treatment.

✉ 'Ammar Kazim Shams, an Iraqi national who had been recognized as a refugee by the UNHCR in May, was deported from Lebanon to an unknown destination. There are fears that he may have been forcibly returned to Iraq where he was at risk of human rights violations.

AI country statements and visits

Statements

- Lebanon: Commission of Inquiry into "disappearance" must be effective and public (AI Index: MDE 18/001/2000)
- Amnesty International calls on all involved in the conflict in south Lebanon to respect international human rights and humanitarian law (AI Index: MDE 15/020/2000)
- Lebanon: Guilt and innocence blurred in summary trials (AI Index: MDE 18/010/2000)

Visits

AI delegates visited Lebanon several times during 2000 for research, trial observation and meetings with government officials, including Prime Minister Salim al-Huss. In March the Lebanese authorities approved a request by AI to open a regional office in Beirut for the promotion of human rights education and awareness.