

# LEBANON

## LEBANESE REPUBLIC

**Head of state:** Emile Lahoud

**Head of government:** Rafiq al-Hariri

**Capital:** Beirut

**Population:** 3.6 million

**Official language:** Arabic

**Death penalty:** retentionist

Scores of suspected members and supporters of two unauthorized opposition groups – the Lebanese Forces (LF) and the Free Patriotic Movement (FPM) – were arrested during 2001. Most were arrested after demonstrations or other peaceful activities calling for the withdrawal of Syrian troops from Lebanon. At least 70 were referred for trial before criminal or military courts. Hundreds of suspected members and supporters of Israel's former proxy militia, the South Lebanon Army (SLA), continued to be tried in summary hearings before the Military Court. There were reports of torture and ill-treatment. At least eight people were sentenced to death; there were no executions. *Hizbullah*, the organization that played the leading role in the armed resistance to Israeli occupation in south Lebanon, continued to hold four Israeli hostages.

## Background

Local elections were held in south Lebanon, the areas occupied by Israel from 1978 to 2000, for the first time in about four decades. *Amal* and *Hizbullah*, the two organizations with strongholds in the south, won a majority of seats.

In June a new Code of Criminal Procedures (CCP) was approved by parliament, but was returned to parliament by President Emile Lahoud with some reservations. Parliament approved the bill without amendments in July. However, the amendments suggested by the President were approved following a special parliamentary debate in August. The amended CCP allows the security forces to arrest and detain suspects for up to four days before bringing them before a judge, but maintains new guarantees provided for in the new law, such as immediate access of the accused to lawyers, doctors and family.

There were concerns and heated debates about prison conditions. The Parliamentary Committee for Human Rights undertook visits to several prisons where they found serious overcrowding and conditions that could amount to inhuman and degrading treatment. Among other things, the new CCP was designed to help reduce the prison population by limiting the period of pre-trial detention for all offences.

In July, the Lebanese Parliament repealed law No. 302 of 1994 which had expanded the scope of the death penalty, abolished judges' discretion to consider mitigating factors,

and made capital punishment mandatory for certain offences, including political crimes. It was widely believed that the repeal of this law would limit the use of the death penalty, and might impact positively on outstanding death sentences. Several human rights non-governmental organizations campaigned tirelessly for the abolition of the death penalty and lobbied lawyers, parliamentarians and government officials.

The future of Lebanese-Syrian relations and the continued presence of Syrian troops in Lebanon was a recurrent topic of discussion during the year among church leaders and political groups. Demonstrations calling for the withdrawal of Syrian troops were organized by Christian-based opposition groups such as supporters of former military leader General Michel 'Aoun. Scores of people were arrested for taking part in unauthorized demonstrations and membership of unauthorized political groups, or on charges of "staging a conspiracy" and "harming Lebanon's relations with a friendly state".

Syrian troops were reported to have completed a partial redeployment of their forces, withdrawing some of their checkpoints in and around Beirut. Press reports set the number of Syrian troops in Lebanon during the year at between 30,000 and 35,000 soldiers.

## Arrests

Hundreds of people were arrested for political reasons. They included members and supporters of the LF and the FPM, which support exiled former military leader General Michel 'Aoun.

☞ Four LF supporters were arrested in April following a sit-in protest held in the village of Becharreh, some 95km northeast of Beirut, against the continuing imprisonment of LF leader Samir Gea'gea'. Bechara Touq, Georges Sukkar, Hanna Rahmeh and Charbel Sukkar were reportedly held for three days at the Ministry of Defence detention centre before being released without charge.

☞ Over 200 members of the LF, the FPM, and the National Liberal Party were detained following a wave of arrests targeting these groups in August. They were reportedly detained because of their involvement in unauthorized political activities. The arrests were carried out by Lebanese Military Intelligence in different locations, including Beirut. Arrests were reportedly carried out without warrants. Both the Prosecutor General and the Minister of the Interior promised to investigate violations committed by officers during these arrests, but no report was made public during the year. Among the detainees were Tawfiq al-Hindi and Nadim Latif, leading members of the LF and FPM respectively, and scores of young men and women, including students and teenagers. Most of the detainees were subsequently released, some 77 of them on bail. Sixteen detainees were reportedly sentenced to prison terms ranging from one week to one month on charges of distributing leaflets "harming the reputation of the Syrian army" and "defaming the President of the Republic". However, Tawfiq al-Hindi and two journalists

— Antoine Bassil, a Beirut reporter for the *Middle East Broadcasting Corporation*, and Habib Younes, editorial secretary of the newspaper *al-Hayat* in Beirut — were charged with "collaboration" with Israel. All three were held in Rumieh prison. They were formally indicted in December and referred to the Military Court on two separate but interrelated cases on charges that carry the death penalty. Their trials were continuing at the end of the year.

☞ Elie Kayruz and Salman Samaha, suspected LF members who were arrested during the wave of arrests in August, remained in custody until November, when they were released on bail. They were also referred to the Military Court on charges of withholding information. They were possible prisoners of conscience.

☞ Daniel Ahmad Samarji and Bilal Ali 'Uthman were arrested in October in Tripoli, northern Lebanon, in connection with a leaflet denouncing the US bombing in Afghanistan. The leaflet was signed by a previously unknown organization, *Jaysh al-Shari'a* (the army of *Shari'a*). The two were referred to the Military Court, accused of planning acts of violence.

### Freedom of expression

There were reports of intimidation of journalists and other media workers.

☞ In March the *Lebanese Broadcasting Corporation International* (LBCI) was temporarily occupied by security forces following a dispute over censorship between shareholders, two of whom were government ministers. Nine employees were arrested. The incident was sparked by the refusal of the LBCI Director and majority shareholder, Michel Daher, to accept the appointment by other shareholders of a censor. The occupation ended after two days and the employees were released, apparently following an agreement among the shareholders; the idea of a censor was dropped.

☞ Raghida Dargham, a Lebanese-American journalist and UN correspondent for the newspaper *al-Hayat*, was indicted by the Military Court with "collaboration with the enemy". Raghida Dargham was reported to have taken part in a discussion panel in Washington, USA, with an Israeli official. Her trial before the Military Court was scheduled to begin in November. However, the charges against her were reportedly dropped on account of a letter she sent to the Military Prosecutor explaining the incident.

### Unfair trials

Hundreds of political prisoners were tried before the Military Court in summary proceedings and hearings that fell short of international fair trial standards. Dozens were tried before the Justice Council whose verdicts are not subject to judicial review.

☞ The trials of former SLA members and alleged "collaborators" with Israel continued during 2001. Most were sentenced to prison terms ranging from several weeks to three years on charges of providing information to the SLA or

Israeli intelligence services or entering Israel. A few were sentenced to between seven and 15 years' imprisonment. Dozens were sentenced *in absentia* to death or terms of imprisonment. Over 3,000 suspected SLA supporters and "collaborators" with Israel had been sentenced since the beginning of the trials in June 2000.

☞ The trial of Islamist activists allegedly linked to the Sunni-based *'Usbat al-Ansar* and involved in the clashes with the Lebanese security forces in the Dinnayah plateau in February 2000, started before the Justice Council in April 2001 and was continuing at the end of the year. At least 24 defendants appeared in court charged with participating in or aiding the Islamist group. The rest were tried *in absentia*. Defendants stated in the court that they had been subjected to torture and ill-treatment during interrogation to extract confessions (see below). In October, *'Usbat al-Ansar* was listed by the USA as one of 27 "terrorist" organizations whose bank accounts were to be frozen.

### Torture and ill-treatment

There were reports of torture and ill-treatment. Methods of torture reported included kicking, beating and the *balanco* (hanging by the wrists, which are tied behind the back). There were continuing concerns that allegations of torture were not adequately investigated.

In August, in response to widespread public concern, the Lebanese authorities appointed a judge from the Prosecutor General's Office to investigate allegations of torture and ill-treatment of women in pre-trial detention.

☞ When Ihab al-Banna, a defendant in the Dinnayah trials (see above), appeared before the Justice Council in April he told the court that he and his co-defendants had been subjected to torture including beatings while in detention and after being transferred to Rumieh prison. He also alleged that detainees were denied medical care despite suffering from scabies. The Prosecutor General stated in court that his Office would duly investigate these allegations and, if proved, take legal measures against the perpetrators. The findings of such an investigation were not made public, but the Office of the Prosecutor General stated that the allegations could not be substantiated.

☞ Ahmad Muhammad 'Alyan and his niece, Huyam 'Ali 'Alyan, were both arrested in March, suspected of "collaboration" with Israel. They were taken to the Ministry of Defence detention centre where they were held incommunicado for weeks and reportedly subjected to torture and ill-treatment. Both were reported to have been forced to sign confessions. Both Huyam 'Ali 'Alyan and Ahmad Muhammad 'Alyan suffered ill-health as a result of their ill-treatment. According to a medical report Huyam 'Alyan suffered bruises on her arms and wrists, consistent with the use of violence and Ahmad 'Alyan suffered from back pain and had marks on his wrists, apparently resulting from the prolonged use of handcuffs.

## Human rights defenders

Kamal al-Batal, the director of the human rights group Multi-initiative on Rights: Search, Assist, Defend (MIRSAD), was convicted in March by the Military Court of "tarnishing the reputation of the *police des moeurs* [vice squad police]". Kamal al-Batal appealed against the verdict and at the hearing in July, attended by an AI observer, the Military Court of Cassation acquitted him of all charges.

## Death penalty

At least eight people were sentenced to death. No one was executed during the year.

## 'Disappearances'

A Commission of Inquiry to investigate the fate of the thousands of Lebanese who went missing or "disappeared" during the civil war (1975 to 1990) started its work in February. The Commission was headed by the Minister of State for Administrative Development and was composed of members representing various judicial and security authorities: the Prosecutor General, the Director of State Security, the Director of General Security, the Director of Military Intelligence, the Director of Internal Security Services, and a lawyer representing the Beirut Bar Association. The Commission was reported to have received information on at least 700 cases from relatives of "disappeared" people by the end of 2001. The mandate of the Commission was said to have been extended for a further six-month term. In December a group of non-governmental organizations held a joint press conference to campaign on the issue of the "disappeared".

## Hostages

In October 2000, *Hizbullah* captured three Israeli soldiers – Binyamin Avraham, Omar Su'ad and Adi Avitan. The three soldiers were seized while on a military patrol in the Israeli-occupied Shab'a Farms area on the southeastern border of Lebanon. A week later an Israeli reserve colonel, Elhanan Tenenboim, was abducted, apparently in Europe. None of the four had had access to the International Committee of the Red Cross (ICRC) nor were they known to have sent or received any messages from their families. The four Israelis were believed to have been held as "bargaining chips" to be exchanged for Lebanese nationals held as hostages by Israel, such as Sheikh 'Abd al-Karim 'Ubayd and Mustafa al-Dirani, as well as Lebanese and Arab prisoners held in Israel. In October, the Israeli authorities stated that three of the four hostages were believed dead. *Hizbullah* refused to confirm this information.

## Refugees

Around 350,000 Palestinian refugees remained in Lebanon. They continued to be subjected to discriminatory legislation and policies, particularly as regards access to education, employment, housing and health care.

Hundreds of other refugees and asylum-seekers, mostly Iraqi and Sudanese nationals, continued to be detained by the

Lebanese authorities on the grounds of illegal entry and residence in Lebanon. Detainees were reported to have staged a hunger strike in May and June to protest at their continued detention and at the pressure being put on them to accept "voluntary" repatriation. Scores of asylum-seekers, including those recognized as refugees by the UN High Commissioner for Refugees (UNHCR) in Beirut, were deported. There were reports of ill-treatment.

☞ Gimam Hamdan Ladu Kuku, a Sudanese national recognized as a refugee by the UNHCR, was deported to Sudan via Syria in March; his wife and son remained in Lebanon. There were fears that he would be at risk of human rights violations in Sudan.

☞ Muhammad Hasan al-Khafaji, a 14-year-old stateless person born to an Iraqi father, was arrested in September at a checkpoint in Tyre, south Lebanon. He was sentenced to two weeks' imprisonment for illegally entering Lebanon, but remained held in Rumieh prison despite serving his prison term. Muhammad Hasan al-Khafaji, his father and his sister were recognized as refugees by the UNHCR office in Beirut and were awaiting resettlement. Muhammad Hasan al-Khafaji was among at least 180 Iraqi refugees and asylum-seekers deported to northern Iraq in December.

☞ Ibrahim al-Taj Hussein Zaydan, a Sudanese asylum-seeker, was shot dead in March by an officer of the Lebanese General Security as he attempted to evade arrest. Members of the Lebanese General Security were apparently searching for suspected illegal immigrants in the Beirut neighbourhood of al-Awza'i and reportedly arrested 10 Sudanese nationals in the same raid. A letter received from the Lebanese General Security stated that the killing was accidental, but AI continued to call for a thorough and impartial investigation into the incident.

## AI country reports/visits

### Reports

- Lebanon: Refugees and asylum-seekers at risk (AI Index: MDE 18/002/2001)
- Lebanon: Unfair trial of a human rights defender (AI Index: MDE 18/008/2001)
- Lebanon: Torture and ill-treatment of women in pre-trial detention – a culture of acquiescence (AI Index: MDE 18/009/2001)
- Lebanon: Amnesty International welcomes repeal of death penalty law (AI Index: MDE 18/010/2001)

### Visits

AI delegates visited Lebanon several times during the year for research, meetings with government officials and non-governmental organizations, and to participate in activities organized by the AI regional office in Beirut. An AI delegation led by AI's Secretary General met President Lahoud in December.