

## Torture and Death in Lebanese Detention

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### News

On 30 June 2017, the Lebanese Armed Forces (LAF) conducted raids amid fierce resistance in Syrian refugee camps in an area called Jurud Arsal at the Syrian border.<sup>1</sup> Pictures of the harsh treatment of male Lebanese refugees during their arrests were circulating on media. Subsequently at least five Syrians died in Lebanese army custody with some of the bodies bearing visible signs of torture.

### Summary

On 30 June 2017, the Lebanese Armed Forces (LAF) conducted raids amid fierce resistance in Syrian refugee camps in an area called Jurud Arsal at the Syrian border. Pictures of the harsh treatment of male Lebanese refugees during their arrests were circulating on media. Subsequently at least five Syrians died in Lebanese army custody with some of the bodies bearing visible signs of torture. This is another deplorable incident amid serious problems in the Lebanese incarceration system.

### Key Words

Lebanon, Syria, refugees, conditions of detention, ill-treatment, torture, security services

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## Analysis:

### 1. BACKGROUND

On 30 June 2017 the Lebanese Armed Forces (LAF) conducted raids in Syrian refugee camps in the area of Jurud Aarsal bordering with Syria, allegedly against (Sunni) militants planning attacks in Lebanon.<sup>1</sup> Around 350 people were arrested.<sup>2</sup> Pictures emerging in the media showed one of them bearing serious marks of beatings on his back. Human rights organizations requested an immediate judicial inquiry.<sup>3</sup> While in detention at least five detainees deceased.<sup>4</sup> The forensic report cited in the media stated that there was "no evidence of violence" and that they had died of natural causes. However, photographs of the bodies of three men revealed bruising and huge gashes on their bodies. According to a legal source, the victims were left tied with plastic handcuffs for days on end, "to the point where it caused extreme physical damages – on both their hands and legs".<sup>5</sup> LAF published a statement about the death of four detainees, claiming that during the "usual medical checkup performed by the army medical department ... some of them suffered from chronic health issues that were aggravated due to the climate condition."<sup>6</sup> Human Rights Watch (HRW) demanded an independent judicial inquiry and accountability.<sup>7</sup>

The raids and arrests in that area came as a prelude of joint military operations and a subsequent cease-fire with another forced population transfer deal between the Lebanese Hizballah and the Syrian regime on one side and rebel factions on the other.

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<sup>1</sup> Aljazeera English, "Lebanon: Army Raids Aarsal Refugee Camps," *Aljazeera English* 30.6.2017; online: <http://www.aljazeera.com/news/2017/06/lebanon-soldiers-wounded-aarsal-refugee-camp-raid-170630045304436.html>.

<sup>2</sup> Lebanese Army, *Executing a Vast Raid Operation in the Syrian Refugees Camps in Aarsal and the Death of Several Terrorists*. Statement published on 30.6.2017; online: <https://www.lebarmy.gov.lb/en/content/executing-vast-raid-operation-syrian-refugees-camps-aarsal-and-death-several-terrorists>.

<sup>3</sup> Fédération Internationale des Ligues des Droits de l'Homme, *Acts of Torture Committed by the Lebanese Army in Syrian Refugee Camps*, 6 July 2017; online: <https://www.fidh.org/en/region/north-africa-middle-east/lebanon/acts-of-torture-committed-by-the-lebanese-army-in-syrian-refugee>.

<sup>4</sup> HRW, *Lebanon: Death, Alleged Torture of Syrians in Army Custody*, HRW 20.7.2017; online: <https://www.hrw.org/news/2017/07/20/lebanon-deaths-alleged-torture-syrians-army-custody>.

<sup>5</sup> Lizzie Porter, Kareem Chehayeb, "Lebanese Army Accused of Torturing Syrian Refugees," *Middle East Eye* 17.7.2017; online: <http://www.middleeasteye.net/news/exclusive-syrian-refugees-tortured-death-lebanese-army-481522780>.

<sup>6</sup> Lebanese Army, *The Death of Arrested Individuals as a Result of Chronic Health Issues*. Statement published on 4.7.2017; online: <https://www.lebarmy.gov.lb/en/content/death-arrested-individuals-result-chronic-health-issues>.

<sup>7</sup> Reuters, *Human Rights Watch Urges Lebanon Probe of Syrian Deaths in Custody*, 5.7.2017; online: <http://www.reuters.com/article/us-lebanon-refugees-syria-idUSKBN19Q2FQ>.

## WIDESPREAD USE OF TORTURE AFTER ARRESTS

Lebanon has a documented history of widespread use of torture by LAF and law enforcement agencies,<sup>8</sup> which has political and administrative reasons. Risk of exposure to ill-treatment and torture occurs right after arrest and during or after interrogations. An inquiry of the UN Committee against Torture in 2013 saw “a clear pattern of widespread torture and ill-treatment of suspects in custody ... especially Syrians and Palestinians ... by law enforcement officials...” The committee also mentioned, “unlawful arrests and torture by non-State actors, such as militias affiliated to Hizballah and other armed militias” in secret location in pre-trial detention.<sup>9</sup> In another report by this committee dated April 2016 “acts of torture had been observed” in the “basement of the Internal Security Forces headquarters building in Achrafieh”.<sup>10</sup> Since Lebanese law does not explicitly provide that information obtained under torture be prohibited as an element of proof, it is an incentive to use torture during interrogations to produce evidence.<sup>11</sup>

The majority of the allegations of torture and even deaths in custody in the past years seem to involve mainly Lebanese, Palestinians and Syrians, most of them Sunnis. In May 2007, during the fighting between LAF and the radical Islamist armed group Fatah al-Islam in the Palestinian refugee camp Nahr al-Barid near Tripolis, men were arrested and ill-treated by military interrogators.<sup>12</sup> In June 2013, after clashes with armed supporters of Shaikh Ahmad al-Asir in Saïda, detainees were beaten, tortured and one person died, allegedly in custody.<sup>13</sup>

With the increasing involvement of Hizballah in Syria and the subsequent increase of Syrian refugees into Lebanon the security situation in Lebanon deteriorated. There are

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<sup>8</sup> HRW, *Lebanon: New Law a Step to End Torture*, HRW 28.10.2016; online: <https://www.hrw.org/news/2016/10/28/lebanon-new-law-setp-end-torture>.

<sup>9</sup> United Nations Committee Against Torture, *Report of the Committee against Torture: Activities of the Committee Under Article 20 of the Convention. 51<sup>st</sup> & 52<sup>nd</sup> Session*. General Assembly Official Record, GAOR, Supplement No. 44 (A/69/44), Annex XIII, paragraph 29-31; online: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/125/96/PDF/G1412596.pdf?OpenElement>; also: United Nations Committee Against Torture, *Committee against Torture Considers Initial Report of Lebanon*. CAT/C/LBN/1, UNOHC 21.4.2017; online: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21521&LangID=E>

<sup>10</sup> United Nations Committee Against Torture, *Consideration of Reports Submitted by States Parties Under Article 19 of the Convention*, 25 April 2016, CAT/C/SR.1509; online: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/097/47/PDF/G1709747.pdf?OpenElement>.

<sup>11</sup> United Nations Committee Against Torture, *Consideration of Reports Submitted by States Parties Under Article 19 of the Convention*, 14 April 2016, CAT/C/LBN/1, para. 392; online: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsh11ZiYkhU7Dic0Hit0aoTbeQbNeIYVj89SBoPAg7x3n4iyRrmXkNkwkDAwMTniVkbnY3Q0M9W2Z%2bIAAcxO3bwvsL6ABTBkLppdZF52E2W2h>.

<sup>12</sup> HRW, *Lebanon: End Abuse of Palestinians Fleeing Refugee Camp*. 12.6.2007; online: <https://www.hrw.org/news/2007/06/12/lebanon-end-abuse-palestinians-fleeing-refugee-camp>.

<sup>13</sup> HRW, *Lebanon: Investigate Army Beating, Death in Custody*. 17.7.2013; online: <https://www.hrw.org/news/2013/07/17/lebanon-investigate-army-beatings-death-custody>.

more than one million Syrian refugees registered with the UNHCR, another 32,000 Palestinian refugees from Syria registered with UNRWA and an even larger number not registered at all. Many of these refugees come from areas in Syria where Hizballah, Iran and Shiite militias are militarily involved supporting the Asad regime. It is therefore no surprise, that security incidents inside Lebanon, like car bombs, targeted Hizballah and its Iranian ally in Beirut and the Bekaa valley, such as the Iranian Embassy in November 2013 and the Iranian Cultural Center in February 2014. Allegedly, most of the perpetrators were affiliated with the Palestinian or Syrian refugee population.<sup>14</sup>

Since spring 2014, Lebanon has implemented a new security plan focusing on the Syrian-Lebanese border. Syrian refugees continued to entertain relations and provide logistical support from the eastern Bekaa valley, namely from Arsal, to their embattled communities on the Syrian side, specifically in the provinces of Homs and Damascus (including the Qalamun area). Hizballah and Syrian regime military campaigns aim at taking control of these areas, which remained inconclusive for the Qalamun area in rural Damascus, since members of radical groups like the successor of the Nusra Front, Hai'at Tahrir al-Sham, and the Islamic State seem deeply rooted in this area and entertain strong connections with residents in and around the Arsal.

In August 2014, following the arrest of a Syrian Nusra leader at a border checkpoint, radical Syrian and Lebanese jihadists who were affiliated with the Islamic State and the then Nusra Front, stormed the town of Arsal. In the ensuing battle with LAF, nineteen soldiers and policemen were killed and twenty-nine kidnapped. This exacerbated tensions towards Syrian (radical) Sunnis and Syrian refugees. By the end of August, two soldiers were beheaded, which left Lebanon in a state of shock. So far only sixteen of the kidnapped have been released in a prisoner swap.<sup>15</sup>

In addition to the arrest of alleged Sunni rebels and radicals, since 2015 Lebanon's residency policy makes it difficult for Syrian refugees to maintain their legal status. While refugees registered with UNHCR had their residency permit renewal fee of \$200 waived, the remaining 500,000 were not eligible for the waiver. An estimated 70 percent of them now lack legal residency exposing them to higher risks of arrests severely restricting their movements.<sup>16</sup> Curtailing the mobility of the refugee population negatively affects their capacity to access the labor market.

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<sup>14</sup> Robert Rabil, *The Syrian Refugee Crisis in Lebanon*. Washington DC: Georgetown University Press, 2014, pp. 100-101.

<sup>15</sup> Robert Rabil, *The Syrian Refugee Crisis in Lebanon*. Washington DC: Georgetown University Press, 2014, pp. 97-100.

<sup>16</sup> HRW, *World Report 2017: Lebanon*; online: <https://www.hrw.org/world-report/2017/country-chapters/lebanon>.



## DEPLORABLE CONDITIONS IN LEBANESE DETENTION

The arrest of thousands of refugees from Syria has aggravated the conditions of detention. The Government of Lebanon admits having a problem with severe overcrowding and inadequate material conditions of detention.<sup>17</sup>

Security services of the Interior Ministry are in charge of detention facilities. The Internal Security Forces (ISF) under Brigadier General Imad Othman runs 19 prisons for men and 4 for women.<sup>18</sup> They are equipped to accommodate only roughly 2,500 prisoners, but in April 2017 there were over 6,000 male and 270 female detainees, of whom 3,762 were Lebanese and 2,508 foreigners including 1,254 Syrians.<sup>19</sup> Severe overcrowding negatively affects hygiene, health and creates violence. For example, regular riots take place in the central prison of Roumieh in the mountains overlooking Beirut.<sup>20</sup> In 2010, it hosted already double its capacity.<sup>21</sup> End of May 2017, prisoners launched a hunger strike.<sup>22</sup> Some of them were so desperate that they sewed their mouths and spread the gruesome pictures over the social media.<sup>23</sup> The protest was postponed until after Ramadan and is expected to resume.

Among the detainees over half were in pretrial detention. Detainees spent an average of one year prior to their trials. But some, such as those from the Nahr al-Barid fighting in 2007, have been stuck in prolonged pretrial detention for a decade.<sup>24</sup> Another problem is arbitrary detention. In 2014, roughly 13 percent of the prison population in Lebanon consisted of foreigners, who were illegally detained after serving their sentences, because they were waiting to be handed over to the General Security in charge of non-

<sup>17</sup> United Nations Convention Against Torture, *Consideration of Reports Submitted by States Parties Under Article 19 of the Convention*, 14 April 2016, CAT/C/LBN/1, para. 432; <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsh11ZIYkhU7Dic0Hit0aoTbeQbNelYVj89SBoPAg7x3n4iyRrmXkNkwkDAwMTniVkBnY3Q0M9W2Z%2bIAAcxO3bwvsL6ABTBkLppdZF52E2W2h>.

<sup>18</sup> Global Detention Project, *Lebanon Immigration Detention*. June 2014; online: <https://www.globaldetentionproject.org/countries/middle-east/lebanon>.

<sup>19</sup> United Nations Committee against Torture, *Summary Record of the 1512<sup>th</sup> meeting*. 60<sup>th</sup> session, CAT/C/SR.1512; online: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1108&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1108&Lang=en).

<sup>20</sup> United Nations Convention Against Torture, *Consideration of Reports Submitted by States Parties under Article 19 of the Convention*, 14 April 2016, CAT/C/LBN/1, para. 435; <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsh11ZIYkhU7Dic0Hit0aoTbeQbNelYVj89SBoPAg7x3n4iyRrmXkNkwkDAwMTniVkBnY3Q0M9W2Z%2bIAAcxO3bwvsL6ABTBkLppdZF52E2W2h>.

<sup>21</sup> Dalila Mahdawi, "Death row inmates plead for second chance," *Daily Star*, [http://www.dailystar.com.lb/printable.asp?art\\_ID=110412&cat\\_ID=1](http://www.dailystar.com.lb/printable.asp?art_ID=110412&cat_ID=1).

<sup>22</sup> HRW, *World Report 2016: Lebanon*. Online: <https://www.hrw.org/world-report/2017/country-chapters/lebanon>.

<sup>23</sup> "Former Rebel Commander Joins Lebanese Prisoners' Hunger Strike," *Zaman al-Wasl* 24.5.2017; online: <https://en.zamanalwasl.net/news/26421.html>.

<sup>24</sup> Department of State, Bureau of Democracy, Human Rights and Labor, *2016 Country Reports on Human Rights Practices: Lebanon*. March 3, 2017; online: <https://www.state.gov/j/drl/rls/hrrpt/2016/nea/265508.htm>.

citizens.<sup>25</sup> It means that someone might spend a couple of years under extremely harsh conditions in detention, which is clearly in contradiction to Lebanese law.

## CONCLUSION

In conclusion, my contribution has clearly pointed to the shortcomings of the Lebanese detention system. Within the implemented security operations, usually directed against Sunni Syrian or Lebanese individuals, the risk of ill-treatment and torture during the arrest and interrogation period is high. Inside the prisons, continuous arrests contribute to deteriorating material conditions of detention, namely overcrowding. Another problem is a total disrespect of the judicial guarantees with detainees waiting for extended periods for their trials and foreigners stuck in arbitrary administrative detention after their release from ISF.

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<sup>25</sup> Global Detention Project, *Lebanon Immigration Detention*. June 2014; online: <https://www.globaldetentionproject.org/countries/middle-east/lebanon> For more on the General Security and its relations to Hizballah see: Carl Anthony Wege, "Hizballah's Counterintelligence Apparatus," *International Journal of Intelligence and CounterIntelligence*, 25, 4, 2012, pp. 771-785.