

AMNESTY INTERNATIONAL

Public Statement

AI Index: MDE 18/002/2006 (Public)
News Service No: 041
16 February 2006

Lebanon: Detainees reportedly beaten and denied access to legal counsel

Amnesty International is concerned by reports that some individuals detained in the wake of violent protests outside the Danish Embassy in Beirut on 5 February were assaulted in detention by Lebanese security forces and that others were denied access to legal counsel and may be tried before military courts.

The organization is calling on the Lebanese authorities to institute an urgent, independent inquiry and to bring to justice any members of the security forces responsible for torturing or ill-treating detainees. It is calling too for all those arrested to be either charged with recognizable criminal offences and given fair trials in accordance with international standards or released without delay.

Amnesty International notes that the 5 February protest was a violent one and recognises the Lebanese authorities' responsibility and obligation both to uphold law and order and to prosecute those responsible for violent acts, but in doing so it must respect human rights.

The 5 February protests were called in response to the publication by a Danish newspaper of cartoons depicting the Prophet Muhammad which many Muslims consider grossly offensive. The Danish Embassy, located in Ashrafiyeh in east Beirut, was set alight and badly damaged. One protester reportedly died in the fire. Some 47 other people, including 19 members of Lebanon's security forces, were so badly injured in the violence that they required hospital treatment. Some 200 cars and 50 houses were also damaged.

On 7 February, Lebanese media reports quoted the acting Interior Minister as stating that more than 400 people - 223 Lebanese, 138 Syrians, 47 Palestinians, seven Bedouins and one Sudanese - had been arrested in connection with the violence. Those detained included some 42 Syrian nationals who, according to information received by Amnesty International, were arrested by Lebanese police at an apartment building in Tariq Jdeide, four kilometres away from the Danish Embassy, some of them while the protests were still in progress. They were arrested, apparently, after another Syrian who resides at the same building, was arrested at the demonstration.

Upon arrest, the 42 Syrians are reported to have been taken first to the local police station and then to the Barbar Khazen prison in west Beirut, which the Internal Security Forces (ISF) control. They were held there for five days, during which they were denied access to legal counsel. Some were beaten by ISF interrogators in an apparent attempt to force "confessions" about their involvement in the protests. On 10 February, they were taken before a military court in Beirut, which ordered their release. More than 200 other people arrested in connection with the 5 February protests are also reported to have been brought before the Military Court in Beirut – whose procedures fall short of international standards for fair trials - on 11 and 12 February, but the outcome is not known to Amnesty International.

The organization calls on the authorities to release all those held in the recent wave of arrests unless they are promptly charged with a recognizably criminal offence and brought promptly to trial in accordance with international standards for fair trial.

BACKGROUND

Over the years Amnesty International has repeatedly documented the use of torture and ill-treatment in Lebanese detention centres, particularly during pre-trial detention and as a means of obtaining “confessions”. To date, the organisation believes that the Lebanese authorities have failed to put in place the necessary safeguards to protect detainees against torture and ill-treatment. Although Article 401 of the Lebanese Penal Code forbids torture and provides for punitive measures against officials found responsible for torture or ill-treatment, Amnesty International is concerned at the persistence of allegations of torture and ill treatment and at the lack of investigations being carried out into them. Recent Amnesty International reports on torture and unfair trials include: *Antoinette Chahin: Torture and unfair trial* (AI Index: MDE 18/16/97); *Torture and ill-treatment of women in pre-trial detention* (MDE 18/014/2001); *Torture and unfair trial of the Dhinniyyah detainees* (MDE 18/005/2003); and *Samir Gea'gea' and Jirjis al-Khouri – Torture and unfair trial* (MDE 18/003/2004).

Amnesty International has repeatedly expressed concern about the Lebanese military court system whose trials fall far short of international standards for fair trials. In particular, contrary to Lebanese legislation, military courts have been granted wide jurisdiction to try civilians; fail fully to explain their verdicts; use summary proceedings which undermine defence rights; and have judges who are predominantly military officers with inadequate legal training. The military courts' proceedings are not subject to independent judicial review, an essential requirement for fair trial. (See *A Human Rights Agenda for the Parliamentary Elections*, May 2005 [MDE 18/005/2005]).