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Lebanon: Torture and unfair trial of the Dhinniyyah detainees

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A new report published today by Amnesty International raises a number of serious issues about the treatment of political prisoners in Lebanon.

The report *Lebanon: Torture and unfair trial of the Dhinniyyah detainees* documents torture, ill-treatment and unfair trial of detainees who have been in detention since late 1999 and early 2000 in connection with their alleged involvement in armed clashes in Dhinniyyah in December 1999. The report highlights serious violations of these political prisoners' rights, including reports of torture and ill-treatment, extraction of 'confessions' under torture or duress, the prosecution's demands for the death penalty, and trial before the Justice Council whose procedures fall far short of international standards.

"Amnesty International has persistently documented patterns of torture and brought them to the attention of the Lebanese authorities. We remain concerned at the Lebanese authorities' repeated dismissal of credible allegations of torture and ill-treatment of political detainees including those held in connection with the Dhinniyyah events."

"The Lebanese authorities must, as a matter of urgency, take measures to address these concerns, and to ensure that the rights of the Dhinniyyah detainees are respected at all times. They should honour their obligations under the International Covenant on Civil and Political Rights and the Convention against Torture and ensure that the provisions of these treaties are fully implemented in law and practice," Amnesty International said.

Apparently detainees were routinely held for prolonged periods in fixed positions in underground cells at the Ministry of Defence Detention Centre. They were tortured including being subjected to electric shocks and the *ballanco* (hanging by the wrists which are tied behind the back) mainly to coerce them to make "confessions".

One detainee stated to Amnesty International:

"After about six days of interrogation under torture I was ordered to quickly sign some papers without reading them. I was told that I had no choice but to sign because the other option was torture. At the time I was blindfolded and handcuffed and they continued to insult and humiliate me. They told me

that my wife was also in detention and that they would let me go if I signed the papers. I was then shown where to sign and I put my signature there. Then mockingly they told me "you are signing your death warrant'."

Another detainee who was released on bail, told Amnesty International:

"On the seventh day I was transferred to the Ministry of Defence Detention Centre in al-Yarze. I was full of fear and was praying to God to be dead before my arrival so they could not touch me. I was tortured and interrogated continually while verbal abuse continued. I was overwhelmed by physical and mental weakness and was vomiting blood and my urine was discoloured. It was impossible to sleep as I was handcuffed, cold and hungry. Twenty-four hours after my arrival I was ordered to take off all my clothes. I refused to undress initially as this was against my religion, but I was forced to undress and forced to remain so for about 15 minutes as a humiliation before I was allowed to dress again."

The Dhinniyyah detainees were arrested mostly in a wave of clampdowns from January to April 2000 by Military Intelligence and other security forces. Amnesty International believes that there were serious violations of the rights of detainees in pre-trial detention including the infringement of their right to be presumed innocent until proven guilty by the court. Since the arrest and subsequent referral of the Dhinniyyah detainees to the Justice Council the group has been accused by Lebanese government officials and by the media of involvement with *al-Qa'ida* and "terrorism" in a manner that seriously prejudices their right to fair trial.

Amnesty International's findings in relation to the Dhinniyyah case show that the detainees were reportedly subjected to torture and/or ill-treatment during various stages of their detention, apparently because members of Military Intelligence wanted to obtain as much "evidence" as possible to be used in court against the detainees.

In 2001 the Dhinniyyah detainees were referred to the Justice Council, a special court to which cases are referred by decree from the Council of Ministers. The court ensures legal representation for the accused and allows defence lawyers access to case documents; its procedures and hearings are public and attended by the media. Amnesty International delegates have in the past attended Justice Council hearings.

However one of the serious flaws of the Justice Council is that it has no jurisdiction over pre-trial detention procedures including interrogation, and this may be one of the reasons why it is unable to investigate claims of torture and other abuses during pre-trial detention.

Amnesty International calls on the authorities to implement all the recommendations contained in the report. All investigations of torture must be carried out in accordance with international human rights treaties and standards, and in particular the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, the Lebanese authorities must investigate all cases where "confessions" have allegedly been extracted under torture. As a state party to the Convention against Torture Lebanon must, according to Article 15 "ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings".

For a full copy of the report *Lebanon: Torture and unfair trial of the Dhinniyyah detainees* please go to:
<http://web.amnesty.org/library/eng/mde1180052003>

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