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Lebanon: Commission of Inquiry into “disappearances” must be effective and public

The Lebanese Government’s recent decision to set up a commission of inquiry to investigate “disappearances” during the war between 1975 and 1990 is an important step forward, Amnesty International said today.

“The formation of a commission is opening a door to heal the wounds of the past,” the organization said. “But the families of the ‘disappeared’, who have never known the fate of their loved ones, must have confidence that any inquiry is meaningful.”

“To this end, the inquiry should be independent, be given enough resources and time to carry out its work seriously, and its findings be made public,” Amnesty International urged.

A total of 17,415 people are listed as missing during the war in Lebanon between 1975 and 1990. Individuals and sometimes whole families “disappeared”, abducted at road blocks by different armies and militias. Some were killed, some held captive in detention centres controlled by the militias in Lebanon and others transferred to prisons in Syria or Israel. The majority of victims remain unaccounted for.

The commission of inquiry set up by government decree signed by Prime Minister Salim al-Huss on 21 January 2000 is headed by an army general and its four members are officers in the army, the general security, the state security and the internal security. It is ordered to report back within three months.

“What is worrying is the lack of independence of the membership of this commission, the lack of terms of reference and the exceedingly short reporting timeframe,” Amnesty International stressed.

Amnesty International is calling on the Lebanese Government to ensure that such a Commission of Inquiry fulfils the following criteria:

- A commission of inquiry should be composed of men and women known for their integrity and impartial judgement who will decide each case on the merits of the facts. Members should be independent of the government, chosen for their expertise and a proven competence in human rights.
- The commission of inquiry should be equipped with the appropriate material and human resources to carry out its work. A serious work of investigation would require the questioning of members of former militias, the exhumation of bodies and the cooperation of the widest possible range of sectors of society. The support staff should include forensic anthropologists, pathologists and ballistics experts.

- It should have the necessary powers from the government to conduct an effective investigation, including the powers to compel attendance of witnesses and production of relevant documents and to make on-site visits. Members must have unrestricted access to any site where there may be remains of the “disappeared”.
- A commission of inquiry should be allowed the time to complete its task satisfactorily. To investigate the fates of more than 17,000 people in three months is an impossible task.
- Finally, the final report of the Commission of Inquiry should be made public.

“Families of the ‘disappeared’ have lived in daily anguish, sometimes for more than 20 years. Even if they accept that family members are dead they wish to know how they met their fates. Often they go on hoping they may still be alive,” Amnesty International said.

For example, one mother an Amnesty International delegation recently met in Beirut, whose children, an architect and a student, simply did not return one day to lunch, continues to lay places at table for them and keeps their room as they left it in September 1985.

“Now is the time for the Lebanese Government to demonstrate that this inquiry is just the beginning in healing this anguish, and not an end,” Amnesty International added.

Background

No report was ever made public of earlier commissions of inquiry set up in Lebanon during the 1980s. After the peace agreement the Lebanese Government issued an amnesty law in 1991 pardoning political crimes committed during the civil war. In 1995 the Lebanese Government issued a law establishing procedures to allow the families of missing people to have them legally declared dead. However, families of “disappeared” criticised the law for its failure to provide for any investigation or to envisage holding those responsible to account.

A Committee for the Relatives of the Kidnapped and Missing has been holding weekly vigils outside the Beirut Museum, near the weekly Cabinet meetings. This is the site of a notorious roadblock between east and west Beirut, where many “disappeared” in the past.

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