



## What is KRC?

Khiam Rehabilitation Center for Victims of Torture founded in June 1999 Registration 143, named Khiam according to prison in southern Lebanon, which closed on 23 May 2000.

KRC is a non-governmental organization working on the rehabilitation of victims of violence and torture, working to prevent torture and defend human rights and provide legal, health and psychological assistance to victims of torture in Lebanon and the Arab countries. Member of IRCT, member of the Global Network Against Torture SOS in Geneva, member on Aman Network for rehabilitation and defense of human rights, and obtained an ECOSOC in 2010 and actively participates in sessions of the HRC in Geneva.

## Summary of the contribution:

Our report will focus on the violations that accompanied the revolution of October 17, 2019, recommendations against torture that Lebanon agreed at 2015 UPR session and prison conditions.

## October 17 revolution:

After a series of demonstrations against economic, social and environmental conditions since the waste crisis in 2015, it began after the imposition of a tax on whatsapp, Lebanon had not seen since the civil war 1975.

Despite the peacefulness demonstrations, violations have been committed by the security forces and by some of the protesting groups such as blocking roads and breaking public property. In October 17, 18, 2019, Beirut downtown turned into a battleground between the security forces who used rubber bullets, tossed them with tear gas and the demonstrators, also in south and the Upper Chouf.

In October 28, attacks on the sit-in protesters: burning tents and struck the protesters with sticks and clubs and dozens of wounded. November 12: Alaa Abu Fakhr was killed by a Lebanese army soldier's at Khaldeh. On January 15, 22, 2020, security forces used rubber bullets, which led to the blindness of four activists (Ayman Daquq, Mahdi Barji and Karen Hilal) and the artist Salim Aladdin was injured. On February 11, 2020, the date of the confidence session for the new government, the parliament transformed into a prison with separated walls.

Hundreds of demonstrators have been subjected to arrests and torture. According to the statement of the Lawyers Committee to defend the demonstrators in Lebanon on 1/2/2020, the statistics from October 17, 2019 to January 31, 2020 are as follows:



- Number of detainees arrested in the revolution is 906, including 49 minors and 17 women
- Number of detainees who were subjected to violence: 194
- Number of participants in the revolution who were subjected to violence in the demonstration was 546, including 13 minors and 50 women.

In addition to three martyrs: Hussein Al-Attar, Alaa Abu Fakhr, Ahmed Tawfiq and 7 suicides and hundreds of wounded demonstrators and security forces. We affirm the right of the security forces to maintain security and stability, at the same time, they should respect freedom of expression and peaceful demonstrations, protect the protesters, and adhere to the international laws and agreements that Lebanon concluded, especially Article 20 from the Universal Declaration of Human Rights and Article 13 of the Lebanese Constitution.

Therefore, we record the following:

- 1- The use of force and arresting dozens in an inhuman manner is a violation of Lebanon's adoption of Recommendation No. 99 not to use violence during demonstrations.
- 2- Kidnapping, force, solicitation, and cracking and searching in the phones data.
- 3- Verbal violence by asking a detainee to say his name "donkey".
- 4- Exceeding the legal period of the arrest process is in violation of Article 47 of the Code of Criminal Procedure and Recommendation 23 of the 2015 review of preventive detention.
- 6- Failure to protect the demonstrators from attacks by armed groups.
- 7- Assaulting journalists and the media and breaking their cameras.

If we hold the responsibility of the security services short and lenient, we condemn the systematic blocking of roads and dirt berms and iron cutters in some areas, which led to casualties and clashes between the same stakeholders as happened on November 25, 2019 and the martyrdom of Hussein Shalhoub and Sanaa Al Joundi, on the Jiyeh Highway and Ali Allaw in Bekaa.

### **Recommendations of the periodic review:**

In 2015, Lebanon agrees at the HRC to implement the 135 UPR recommendations, most of them were removed from the 2010 review.

The recommendation to establish a NPM within the National Commission for Human Rights Law 62 of October 27 2016 has been approved, but it has not been implemented despite its formation. And the new Law Torture No. 65 was approved on September 19, 2017, a law that constitutes a new and important stage in the punishment of torture, and despite observations on it, but it has not been implemented. "The definition of torture in the law does not apply with Article (1) in the UN Convention, and it is lenient in penalties and subjecting torture to statute of limitations and absence of a clear text on compensation, we



point out that the Administration and Justice Committee, at its meeting on January 14/2020, refused to amend Article Three of the Law of Torture, which

stipulates the passage of time on the crime of torture. Despite the positive aspects of approving these recommendations, but not implemented in practice, especially recommendation 117: taking of Legislative measures to include the provisions of the CAT and its protocol in national law to ensure its implementation.

Recommendation 118: to implement the 36 recommendations done by the CAT after the investigation visit of the International Committee in 2013 and 2014. On May 30, 2017 the CAT published its observations on Lebanese report recommended the Lebanese authorities four preliminary recommendations:

“Definition and criminalizing torture, respecting the basic legal guarantees for detainees, establishing an independent complaints mechanism, the Lebanese report on the extent of implementing the recommendations was not sufficient.

The facts confirmed and despite all the previous official steps, torture is still practiced in Lebanese prisons and the Lebanese community, and the examples are numerous. The theater actor Ziad Itani, who was arrested on November 23, 2017, was subjected to torture, the death of prisoner Hassan Al-Dika in the hospital on May 11, 2019, and the death of two prisoners, Mustafa Kahwaji and Musa Khadr al-Khatib, at the detention center in Bir Hassan, as a result of a short circuit.

2018, Airport Security in Beirut arrested Turkish opposition activist Eitan Ozturk for a week, and despite informing the Lebanese side that she is from the opposition, she was handed over to the Turkish consulate, which returned from Beirut Airport to Istanbul. The handing is a violation of Article 3 of the CAT signed by Lebanon and contrary to the recommendation of forced disappearance 206.

Torture escalated in prisons before and after October 17 revolution, and the Lebanese government did not fulfill her promised in the previous UPR not to exposure violence against demonstrators recommendation No. (99), and all the decisions approved by the Parliament are still just media decisions.

### **Lebanese prison conditions:**

Lebanon's prisons suffer from dire conditions at all levels, overcrowding, slow trials, and deteriorating social and psychological health conditions. The number of prisoners as of the writing of this report is 6928, only 2434 are trialed for example of slow of trials in the north 750 prisoners only 245 trialed.

UPR recommendations which deal with prisons conditions, torture and the establishment of the preventive mechanism to prevent torture were not implemented and the recommendations 112,116,121,122 .No judicial decision was issued to punish the perpetrators of torture despite the issuance of the new torture law that was obstructed and clearly demonstrated in the arrest and suppression of activists during October 17 revolution. The issue of building new prisons to address the issue of overcrowding collided with corruption and deals.



The issue of prisons, despite its humanitarian issue,

importance as a national and

has not been given importance by successive Lebanese governments and is still a marginal issue outside the priorities of serious treatment. The crime that took place at Al-Awza'i police station on February 11, 2020 led to the death of two members of the Lebanese police which was caused by overcrowding in prisons (27 arrested in a room that does not accommodate four people).

When corruption pervades the state apparatus and the judicial body grows, torture prevails and the law is broken and perpetrators escape accountability.

**Suggested recommendations:**

- 1- Forming a judicial commission to investigate all violations that accompanied the demonstration since October 17, 2019 until this report.
- 2- Establish a democratic election law based on relativity and outside the sectarian restriction.
- 3- Responding to the demands of the revolution in approving the independence of the judiciary law and recovering the stolen money.
- 4- Endorsement a budget to activate the national human rights commission that includes the Committee to Prevent Torture
- 5- Implementing the New Torture Law No. 65 and its amendment concerning of passage of time to torture act.
- 6- Announcing a judicial emergency to speed trials in prisons.
- 7- Announcing the investigation regarding the death of prisoner Hassan el Dika and all those who died in the past five years.
- 8- Establishing an independent complaints mechanism.