



October 7, 2008

Minister Ziad Baroud
Minister of Interior
Ministry of Interior
Sanayeh, Beirut
Fax: 01-744429

By Facsimile

Your Excellency,

We are a group of Lebanese and international organizations working on human rights issues in Lebanon. We welcome your decision on August 6, 2008 to ask the General Inspectorate to investigate allegations of abuses occurring inside Lebanese prisons following the serious allegations of corruption, and of ill-treatment of prisoners aired on al-Fasad, a program on New TV.

We want to highlight the following areas of concern in Lebanese detention facilities that we hope the investigation will examine and publicly report on as soon as possible:

I. Deaths in custody and lack of proper medical care

Since January 2007, at least 27 detainees have died in Lebanese prisons and detention facilities (see Annex 1 for details). Some of these deaths raise suspicions about potential criminal acts by officials inside the prison while others highlight negligence of prison guards or shortcomings in the

medical care offered to inmates. In almost all cases, additional clarity and transparency from the Lebanese prison authorities is needed.

For example, Joseph Khajadorian died in Roumieh prison on December 10, 2007 only six days after being detained. On the al-Fasad program, the parents of Mr. Khajadorian said that prison authorities had informed them, although without providing them with any written report, that he died from a blood clot in his head. The family privately hired a medical expert who concluded that the cause of death was not a blood clot but rather asphyxiation. A former prison inmate told al-Fasad program that Joseph was having "frequent crises" in the jail but that the prison authorities had refused to transfer him to the hospital.

More recently, Saleh Zein al-Deen, 43, died in Roumieh prison on August 21, 2008 two weeks after being detained. He was arrested on the accusation that he threatened others with firearms. According to social workers working in the prison, he suffered from serious psychological problems. The official prison report states that Saleh died from asphyxiation while Saleh's family said that an examination of the corpse showed that he had a large wound on the head.

Deaths in detention are not limited to Roumieh jail but have also taken place in other prisons. Musa Khalil Darwish, a 61-year old Palestinian, died on October 3, 2007 in Zahleh prison. He had been arrested on charges of entering the country illegally and being in possession of weapons. No information is available on his death. Omar Sattam `Ulayf, a 17-year old Syrian national died on June 19, 2008 in the detention facility of the Tripoli court. No information is available on the cause of his death.

Deaths in custody also occur in police stations. On May 29, 2008, Muhammad G., 25, died in the Mount Lebanon police station (Mafrzet Istiksa' Jabal Lubnan) after the police had arrested him for being drunk. We do not know whether the authorities have investigated his death. In a similar turn of events, two weeks ago, on September 16, 2008, Haydar Y., 50, was found unconscious in the Ramlet al-Bayda police station in Beirut after being detained for being drunk. He was transferred to the Beirut Hospital where he died. Again, we do not know whether an investigation was ordered and what results were reached.

Other cases raise questions about the role of prison officials in protecting inmates from violence from other prisoners. Elias al-Habr died in early November 2007. His family told us that he died from beatings by other inmates. The cause of death was confirmed in the report of the medical examiner. The head of the prison dispensary, Mr. Abdo Hayek, stated on

the al-Fasad program that requests had been made to transfer Mr. al-Habr from his cell because other inmates were beating him but that the prison authorities and the head of the religious services inside Roumieh jail (*al-Murshidiyyah*) had refused the request.

Your Excellency, according to the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, "[a] death in any type of custody should be regarded as prima facie a summary or arbitrary execution, and appropriate investigation should immediately be made to confirm or rebut the presumption. The results of investigations should be made public." Such public investigations into deaths in custody have not been carried out in Lebanon.

We are encouraged by your willingness to investigate allegations of ill-treatment and corruption inside Lebanese detention facilities and jails. Accordingly, we call on you to:

- investigate the deaths listed in Annex 1 and make the findings public;
- Issue instructions to conduct autopsies for every person who dies in the custody of any agency of the state, and make those reports publicly available;
- hold prison officials accountable for any deaths caused by their acts or negligence;
- order a review of medical procedures in place of detention and prisons.

II. Torture and ill-treatment in detention facilities and prisons

Torture and ill-treatment remain a serious problem in Lebanese detention facilities and jails. While Article 401 of the Lebanese Penal Code criminalizes the use of violence to extract confessions, the enforcement of this provision has been almost non-existent.

Human rights groups in Lebanon have gathered testimonies from a number of detainees who reported being beaten and tortured during interrogation in a number of detention facilities. For example, detainees belonging to the so-called "Group of 13" accused of links to al-Qaeda, have stated that they were tortured by the information branch of the Internal Security Forces. A person who saw them during their detention at the Information Branch headquarters in Beirut reported seeing evidence of physical beatings on their body.

A number of other detainees reported being beaten by the Drug Repression Bureau (DRB) in the Hobeish police station in Hamra, Beirut and

n the DRB offices in the Zahle Justice Palace. Neighbors of the Hobeish police station have told us that they frequently hear screams coming out of the police station at night.

Migrant workers have also reported being ill-treated in detention. A migrant domestic worker from the Phillipines reported being beaten in the Jal al-Dib police station.

Your Excellency, a clear message needs to be sent to members of the security forces that torture and ill-treatment will not be tolerated, including in drug and security-related cases. Accordingly, we call on you to:

- Issue clear and public instructions to all members of the security forces that torture will not be tolerated and that violators will be punished in accordance with the law;
- Initiate prompt and impartial investigations into all credible reports of torture or deaths of detainees.
- Discipline or prosecute as appropriate all individuals, regardless of rank, found responsible for the torture of detainees. This includes individuals who carried out such abuse or ordered such abuses.

Thank you for your attention to this matter. We look forward to engaging in a constructive dialogue about how to effectively protect the rights of detainees in Lebanon. We will contact your office to seek a meeting to discuss this issue further.

Respectfully,

Human Rights Watch




Centre Libanais des
Droits Humains
(CLDH)



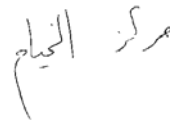
Association
Libanaise pour
l'Education et la
Formation (ALEF)



Frontiers (Ruwad)



Khiam
Rehabilitation
Center



Al-Karama



Restart Centre
for
Rehabilitation
of Victims of
Violence and
Torture



Annex 1
Deaths in Detention in Lebanon Since January 2007

	Date of Death	Name of Detainee	Detention Facility
1.	6-Feb-2007	Muhammad Ali Yusef Khamis, b. 1983, Lebanese	Roumieh prison. Transferred to al-Hayat hospital, died there
2.	1-Mar-2007	Salem Yusef al-Hajj Musa, b. 1940, Lebanese	Roumieh prison, section of Convicted
3.	17-Mar-2007	Burhan Ali al-Jawhari, b. 1956, Lebanese	Roumieh prison, building of juveniles
4.	16-Aug-2007	Shuhayr Salim Habshi, b. 1935, Lebanese	Roumieh prison. Transferred to Dahr al-Bashek hospital, died there
5.	18-Aug-2007	Fawzi Abdel-Majid al-Sa`di, b. unknown, Palestinian	Roumieh prison. Transferred to Dahr al-Bashek hospital, died there (he was wounded by previous gunshot)
6.	25-Aug-2007	Ghassan al-Banna, b. unknown, Lebanese	Roumieh prison. Transferred to Dahr al-Bashek hospital, died there
7.	10-Sep-2007	Osheek Ibrahim Mahmud, b. unknown, Saudi	Jbeil prison. Transferred to St. Martine Hospital, died there
8.	3-Oct-2007	Musa Khalil Darwish, b. 1947, Palestinian	Zahle prison
9.	9-Oct-2007	Antoine abi-Saad, b. unknown, Lebanese	Ghazir police station
10.	Nov-2007	Elias al-Habr, b. unknown, Lebanese	Roumieh prison
11.	10-Dec-2007	Joseph Khajadorian, b. unknown, Lebanese	Roumieh prison, building of juveniles
12.	17-Dec-2007	Hussein al-Hajj, b. 1934, Lebanese	Zahle prison
13.	2-Jan-2008	Saleh Dawood Harun Sa`id, b. 1958, Sudanese	Roumieh prison, building of juveniles
14.	13-Feb-2008	Shakes Tshako Obasi, b.	Roumieh prison

		unknown, Nigerian	
15.	17-Feb-2008	Mahmud Salim Tarabey, b. 1940, Lebanese	Roumieh prison, building of juveniles
16.	3-Mar-2008	Hussein Subhi Salem, b. unknown, Lebanese	General Security detention. Transferred to Karantina hospital, died there
17.	6-Mar-2008	Wisam Mahmud al-Sandaqli, b. 1975, Palestinian	Roumieh prison
18.	5-Apr-2008	Nabil Jerjes Satraq, b. 1956, Lebanese	Transferred to al-Hayat hospital, died there
19.	21-Apr-2008	Abbas Mehdi Hussein, b. 1971, Iraqi	Transferred to al-Hayat hospital, died there
20.	3-May-2008	Fayez Shameet, b. 1931, Lebanese	Transferred to Beirut Governmental Hospital, died there
21.	29-May-2008	Muhammad G., b. unknown	Police station of Mount Lebanon (Mafrazet Istiksa' Jabal Lubnan)
22.	19-Jun-2008	Omar Sattam `Ulayf, b. 1991, Syrian	Detention facility of Tripoli court
23.	9-Jul-2008	Munan Kodel Yusef, b. 1959, Syrian	Transferred to Dahr al-Bashek hospital, died there
24.	Aug-2008	Ibrahim al-`Amer, b. unknown	Roumieh prison
25.	7-Aug-2008	Ali Fawzi	Roumieh prison
26.	19-Aug-2008	Salah Saleem Zein al-Deen	Roumieh prison
27.	16-Sep-2008	Haydar Y.	Ramlet al-Bayda police station