

Republic of Lebanon

Ministry of Justice

The Minister

**To / Human Rights Watch**

**Number:** 570/3

**Subject:** Report on the result of the investigation into the circumstances of the detainee Hassan Toufic al-Dika's the death while in custody

**Reference:** Fax dated 26/7/2019

In reference to the subject and reference indicated above,

I hereby refer to you attached the report prepared by the Acting Cassation Prosecutor, Judge Imad Qabalan, document number 3200/M/2019 dated 29/7/2019 on the result of investigations into the circumstances surrounding the death of the prisoner Hassan Toufic Al-Dika while in custody.

For your kind consideration.

Beirut on 31/7/2019

Minister of Justice

Dr. Albert Serhan

Republic of Lebanon

Ministry of Justice

Office of the Public Prosecutor at the Court of Cassation 3200/M/2019

**Your Excellency / Minister of Justice**

**Subject: Report on the results of the investigation into the circumstances of the death of the detainee Hassan Toufic al-Dika while in custody**

**Submitted by the Acting Cassation Prosecutor Judge Imad Qabalan**

Having examined the investigation record of the Central Criminal Investigations Department, document number 5738/302, dated 13/5/2019, which was organized on the basis of commission document number. 3200/M/ 2019 dated 13/5/2019, and the hearing record of the lawyer Toufic al-Dika before the Attorney General at the Court of Cassation, in the lawyer's capacity as the father of the deceased detainee Hassan al-Dika, in addition to the written memorandum submitted by him [i.e. Toufic al-Dika] and the documents attached thereto; and after reviewing the medical file of the deceased detainee, the medical reports, the contents of the cd recordings from the cameras during the late detainee's custody at Al-Hayat hospital, and all the documents related to the case.

**First: On the Facts**

It was found that a force from the Information Department [Department of the Lebanese Internal Security Forces(ISF)] arrested on 3/11/2018, based on a request from the Court of Appeal of Mount Lebanon, the Lebanese citizen Hassan Toufic al-Dika at his residence in Dohat Aramoun, being the owner of a customs clearance company, on the background of investigations with the detainee [REDACTED] on a case involving drug trafficking, where investigations revealed a network involved in a drug trafficking case, consisting of twelve persons, among them [REDACTED] and Dika.

It was found that the detainee Hassan al-Dika confessed during his interrogation to his role in the case after being faced with legal evidence, confessions and communications traffic record. The investigations record was closed and signed on 5/11/2018 and referred to the public prosecutor office at the Mount Lebanon Court of Appeal which required, through a request, holding the detainees in custody on its behalf temporarily at the detention Center at the Internal Security Forces headquarters, because there were no vacant places at the detention facility at Baabda Justice Palace, where he was held until 9/11/2018, when he was transferred to the detention center at Baabda Justice Palace and immediately subjected to a physical inspection by Sergeant First Class [REDACTED] and medical screening/examination by the nurse at the detention center, Corporal at the Internal Security Forces, [REDACTED], immediately after his admission to the detention facility.

Lawyer Toufic al-Dikak was found to have assigned himself to represent his son Hassan, who was arrested under an arrest warrant issued by the first investigative judge in Mount Lebanon, and [the lawyer father] filed more than one request for his release, but all of them were dismissed in view of the nature of the offense and the casefile data. His father/lawyer had also filed a complaint on his behalf, directly before the first investigative judge in Mount Lebanon, against members of the judicial police from the Information Department [at the Lebanese Internal Security Forces] who prepared the report on preliminary investigations, for crimes of torture to illegally extract confession and detention while holding the detainee longer than the legal period applicable, and violating the

Code of Criminal Procedures on the conditions and cases of entering the detainee's residence; based on the articles of the law criminalizing torture No./65/ dated 26/10/2017, and the provisions of the Code of Criminal Procedures. He [the father/lawyer] pointed out that officers of the Information Department had taken Hassan al-Dika from his residence on the night of 1/11/2018, contrary to what is indicated in the investigation record of the Department on a patrol bringing him at 12:00 pm noon [midday] on 3/11/2018.

It was found that lawyer Hassan Toufic al-Dika submitted to the appeal public prosecution in Mount Lebanon a request for medical and psychological examination of the detainee held at the detention facility in Baabda Palace of Justice, Hassan al-Dika, by two forensic physicians. Accordingly, Dr. [REDACTED] forensic physician, examined the detainee in custody on 23/11/2018, and Dr. [REDACTED], specialized psychiatric forensic physician, was assigned to conduct the required psychological examination. It is worth mentioning that the physician from the Internal Security Forces, Dr. [REDACTED] had examined the detainee Hassan while in custody at the detention facility at the Palace of Justice in Baabda on 19/11/2018 and documented in his report that he saw a contusion on the left shoulder of the detainee, a contusion on the outside of his right arm, scratches on his upper back and a straight-shaped contusion behind the left shoulder. The Internal Security Forces physician, Dr. [REDACTED], said in his hearing in the investigation record at the Central Criminal Investigation Department that he could not determine the cause of the contusions visible on the body of the detainee Hassan al-Dika, and that the detainee did not mention the cause on his own, adding that he did not notice contusions on the lower back or lower limbs, otherwise he would have mentioned this in his report. In addition to the medical examination carried out by the sergeant at the Baabda Palace of Justice, Sergeant First Class [REDACTED], who said in his hearing at the Central Criminal Investigation Department record that there were no evidence or signs that Hassan al-Dika had been subject to torture, and no contusions were visible on his body, neither old nor new, and in addition to the medical examination conducted by the Detention Center Nurse, Corporal [REDACTED], who mentioned in the same hearing record that the detainee Hassan al-Dika had been suffering from back pain and hypertension, and he was treated with painkillers and anti-hypertension medication to control high blood pressure, and did not show signs of contusions, neither old nor new, to indicate he had been tortured. He [i.e. Hassan according to the Nurse statement] has not claimed to have been subjected to any form of torture. When requesting further clarification on the contradiction between the report of the Internal Security forces physician Dr. [REDACTED] and his own testimony, Staff Sgt. [REDACTED] said that he confirms he did not see any signs of torture or violence on the body of the detainee when he was received on 9/11/2018, and that what the physician mentioned in his report could be something that took place inside the detention center, due to overcrowding and stampede .

The report by the forensic physician [REDACTED] prepared on 23/11/2018 indicated that the detainee Hassan al-Dika suffers from:

- 1) Cyanosis on the left forearm from the outside, due to a contusion he was subjected to
- 2) Cyanosis on the right forearm from the outside, due to a contusion he was subjected to
- 3) Cyanosis with superficial contused wounds that are healing on the right scapula
- 4) Contused wound 3-cm long up on the left scapula
- 5) Pain in the lower back with difficulty in movement. He needs to undergo a magnetic resonance image (MRI), and this is the result of violence he had suffered
- 6) Cyanosis on the back of the right leg
- 7) Cyanosis on the back of the right thigh
- 8) Cyanosis on the back of the left leg

- 9) A healing 6-cm contused wound, on the left waist, also he is suffering from pain in the fingers due to physical violence he had suffered.

The report of the forensic physician, Dr. [REDACTED], added that the detainee suffered mental [psychological] disorders and needs to be examined by a psychiatrist, and that these injuries occurred about three weeks ago.

It was noted that the report of the forensic psychiatrist Dr. [REDACTED], prepared on 29/11/2018, mentioned that the detainee Hassan al-Dika was constantly crying due to the psychological anxiety he had been suffering, and is suffering trauma that resulted from his arrest and being beaten and tortured (according to him [i.e. to al-Dika]) during the first period of his arrest, but he does not suffer any mental disorder such as schizophrenia, hallucinations or delirium.

It turned out to be that the lawyer Toufic al-Dika had been determined to obtain a decision to release his detained son Hassan al-Dika by persuading the judiciary that his health conditions necessitated that. To him [i.e. for Toufic], the report of the forensic physician, Dr. [REDACTED], was the ideal document for this purpose, especially as it was aimed at nullifying the preliminary investigations by accusing the investigators who performed the preliminary investigation at the Information Department [Lebanese Internal Security Forces] of injuring Hassan in his spine and causing him a hernia in the lower spine (spinal disc herniation) as a result of beatings and torture to extract forced confession, in addition to suspension in the farrouj position [A torture technique in which the victim is suspended by the feet with hands tied together to an iron bar passed under the knees] (. Additionally the detainee suffered hypertension, and was transferred on 1/2/2019 from Aley Prison to the Emergency Department at Al-Hayat Hospital, where the Emergency physician, Dr. [REDACTED], examined him and found that al-Dika was suffering hypertension (90/170) along with swelling and pain in his left leg, and that he had been psychologically agitated. The mentioned physician prepared a factual statement and handed it over to the father of the detainee, with the approval of the public prosecutor office at the Mount Lebanon Court of Appeal The detainee was transferred back to Aley prison on the same date of his transfer [i.e. to hospital]. Dr. [REDACTED], an intern surgeon at Al-Hayat Hospital Emergency Department, said at his hearing in the investigation record at the Central Criminal Investigations Department, that he learnt from the head of the Emergency Department, Dr. [REDACTED], that the father of the detainee Hassan, lawyer Toufic al-Dika, asked him [i.e. [REDACTED]] to prepare a medical report that confirms that the detainee shows signs of contusions on his body, but he [REDACTED] refused. However, Dr. [REDACTED] denied that this happened during his hearing at the investigations department.

It was found that Attorney Toufic al-Dika, in his pursuit to obtain medical reports to support his request to release his son, submitted a request to the first investigative judge in Mount Lebanon on 6/3/2019 for the examination of his detained son by a forensic physician. The first investigative judge answered his request on the same date and commissioned forensic physician, Dr. [REDACTED], to go to Aley Prison to examine the detainee Hassan Toufic al-Dika and assess his health status and the diseases he is suffering from. The mentioned physician examined Hassan on 7/3/2019, and reported that al-Dika had complained of pain in the left chest and pain in the lower back extending towards his left thigh, and could not stand or move normally, and it is advisable in his case to undergo a magnetic resonance image (MRI) to identify the causes of the back pain and inability to stand.

It was found that as a result of the examination of the detainee Hassan al-Dika by the Colonel Physician in the Internal Security Forces, head of the Araya Medical Center, it was decided to

transfer him on 2/3/2019 to custody at Al-Hayat Hospital for treatment and monitoring at his own expense. As soon as he was admitted, and upon his own request, he was examined by Dr. [REDACTED], a cardiologist at Al-Hayat Hospital who conducts daily rounds on patients, including inmates at the hospital's detention facility. He found that al-Dika was suffering hypertension, and had been prescribed Codiovon, so the doctor prescribed another medication which is Concore.5, and also conducted to him a routine ECG which turnout out to be normal and this was documented in his medical records. On 28/3/2019, he had undergone an MRI at 4D Diagnostic Center in Aley, which showed a disc herniation at L5-S1 level in the lower back. A second MRI was performed at the CEDIM Center on 24/4/2019 upon the request of the forensic physician, Dr. [REDACTED], commissioned by the public prosecutor office at the Mount Lebanon Court of Appeal, where the physician had noted that the clinical symptoms did not match the results of the first MRI report. However, he had later concluded that the detainee Hassan suffered a disc herniation pressing on the S1 nerve. The second MRI report showed mild and chronic nerve impairment between L5 and S1 vertebrae, predominantly to the left. He reported to the Public Prosecution that the detainee complains of back pain that may require surgery and that does not endanger his life. The forensic physician, Dr. [REDACTED], stated during his hearing in the investigation record of the Central Criminal Investigation Department, that he heard that the father of the detainee does not want his son to undergo surgery, and that all what he wants [i.e. the father, according to the physician's testimony] is to obtain a medical report to help him release his son from prison. The physician also said that the disc herniation, according to imaging, is chronic, due either to a structural cause or to an accident that caused pressure on the vertebrae, and that the symptoms of clinical examination go beyond the nature of the injury revealed by the MRIs due to exaggeration by the detainee, especially the detainee's claim of paralysis in the left lower limb whereas diagnostic testing revealed that the nerve and muscles are intact..

It was found that the detainee Hassan al-Dika underwent a medical examination by Dr. [REDACTED] a, an orthopedic surgeon, while he was at custody in Al-Hayat hospital. Dr. [REDACTED] prepared a medical report on 4/4/2019 stating that Hassan needed a hernia repair surgery, and a second report on 6/4/2019 upon the request of the detainee's father, and a third report on 3/5/2019, based on the approval of the public prosecutor office at the Mount Lebanon Court of Appeal, in which Dr. [REDACTED] confirmed that the detainee suffers spinal disc herniation and a surgery is urgently needed as soon as possible because of the futility of continuing the treatment with medications and painkillers.

It was found that the detainee Hassan al-Dika, on the evening of 11/5/2019 shortly before eight o'clock, and as he entered the bathroom at Al-Hayat hospital detention facility, suffered an acute heart attack and fell as a result to the ground, where his heart suddenly stopped. As soon as they heard the sound of falling, inmates at the same detention facility rushed to the bathroom, including the forensic physician Dr. [REDACTED], who was detained as a result of the investigation into the invalidity of his medical report dated 23/11/2018, which he had prepared for the detainee Hassan al-Dika. They dragged him out of the bathroom, and summoned the emergency physician, Dr. [REDACTED] who witnessed signs of total cyanosis on Hassan's face and loss of pulse, so he tried to resuscitate him with the help of nurses [REDACTED] and [REDACTED], and he placed him [i.e. Hassan al-Dika] on an artificial respirator and injected him with adrenaline to stimulate the heart, but all attempts to resuscitate him failed regardless of continuing such attempts for about half an hour, since the heart activity remained nil [Arabic says zero percent]. The emergency physician further confirmed the death by an ECG, which showed total cardiac arrest, besides the pupils' dilation.

It was found that the forensic physician, Dr. [REDACTED] was commissioned to inspect the body of the deceased detainee Hassan al-Dika, so he [i.e. the physician] issued a report on 11/5/2019, confirming that the death took place at 8 pm on 11/5/2019 without identifying the cause of death because of the absence of external signs that can hint to the reason, adding that an autopsy is required to determine the actual cause of death, and this was rejected by the family of the deceased. The report also requested waiting for the result of the tests that were done on a blood sample that was withdrawn from the body. It was decided by the military prosecutor to hand over the body to the deceased family for the burial ceremony.

It was found that the efforts of the father of the late Hassan al-Dika, lawyer Toufic al-Dika, took an alternative approach at this stage, as it moved to focus on targeting the judiciary and the judicial police, accusing them of causing the death of his son, considering that the judiciary was rejecting his requests for release despite the health concerns, and that the judicial police, represented by the Information Department investigators, were behind his son's death as a result of torture and beatings to coerce him into making false confessions, resulting in him suffering disc herniation, hypertension and death. Thus, he [i.e. the father] was able to transform the fact of death into a public opinion matter through the statements and reviews with anti-torture and human-rights institutions, and this necessitated conducting such a thorough investigation.

It appeared that that information was available to investigators about the late Hassan al-Dika's suffering of chronic disc herniation and hypertension, with diagnosis dating back to before his arrest and investigation. To this end, physicians who examined the late detainee before he was arrested in the drug trafficking case were asked to testify. During the investigation of the Central Criminal Investigation Department, Dr. [REDACTED], an orthopedic surgeon, said that the patient Hassan Toufic al-Dika, born in 1973, went to his clinic in the Middle East building, Ghobeiry Square, on 8/6/2016, and medical examination showed that he was suffering from pain in the lower back with pain spread to the left leg, and that the patient said he had been suffering from hypertension. The physician said that he prescribed to him pain relievers (analgesics) then, and that the indicated patient came back to him on 12/6/2018 for follow-up because the pain was still at the same pace, so he asked him to perform a MRI of the lower back to identify the cause of the pain, because the symptoms were indicating a lumbar disc herniation in the lower back or a prolapse in the spinal discs, but the patient did not come back for further follow up after that.

A testimony was also presented by physician Dr. [REDACTED], an orthopedic surgeon, who stated that the patient Hassan Toufic al-Dika, born in 1973, came to his clinic at St. Therese Hospital in Hadath area, on 20/3/2018, suffering from severe pain in the lower back/vertebral column, where he performed a normal x-ray for him and this did not show the cause of the pain, so he prescribed him some analgesics and muscle relaxants, and that the indicated patient left the clinic and did not come back for follow up.

Another testimony was presented by the physiotherapist, [REDACTED], who indicated that Hassan Toufic al-Dika came to his physiotherapy center "Healing Hand" at Saifi area, on 20/6/2018, and did not have any medical prescription for physiotherapy nor a referral from a physician, but only an x-ray image, and he was suffering from severe pain in the leg, to the extent that he was unable to lay on his belly, so he advised him to see a specialist physician because he suspected spinal disc herniation, and to perform a Magnetic Resonance Image (MRI). He said as well that al-Dika had six physical therapy sessions at his center during June and July 2018 and that the patient indicated he had been suffering from hypertension.

Dr. [REDACTED], a specialist in cardiovascular diseases, also presented a testimony saying that he had examined the patient Hassan al-Dika in his clinic in Nabatieh on 23/9/2017, where he had been suffering from headache, dizziness and hypertension(80/170), so after clinical examination and ECG, he found out that the patient suffered from chronic hypertension, prescribed to him the medication Codiovon, and asked him to undergo laboratory tests and come back for follow up after a week. Dr. Zbib said the patient came back for follow up on 2/10/2017 and showed him the results of laboratory tests, so he advised him to continue treatment with the same medicine.

It was found that the officers and sergeants in charge of prisons and detention centers where the late Hassan al-Dika was admitted, also presented their testimonies. Lieutenant [REDACTED], the commander of Aley prison, stated that detainee Hassan Toufic al-Dika was admitted to Aley prison from Roumieh Central Prison on 22/2/2019, and that the examination by the prison nurse showed he had been suffering pain in the vertebral column and taking medication for hypertension as per a medical prescription, with no signs of old nor new contusions were visible on his body, and he did not mention before him that he had suffered torture earlier at former places of his arrest/detention. However, his father, who had been coming to visit him, was rumoring that his son had been beaten during his arrest, and that the back pain was caused by physical torture. He [i.e. [REDACTED]] also said that the detainee was transferred on 4/3/2019 to Al-Eman Hospital in Aley on the background of a report by the Internal Security Forces Physician, because of the back pain, where al-Dika underwent medical examination and was prescribed the needed analgesic medications, then was transferred back to Aley prison on the same day. On 12/3/2019, he [i.e. the detainee al-Dika] was examined by the prison physician, Dr. [REDACTED], who requested referring him to an orthopedic physician, and hence he was transferred on 15/3/2019 to Araya medical center where he was examined by the orthopedic physician, and the latter requested performing an MRI for him, and the requested imaging was performed on 28/3/2019 at 4D Diagnostic Center, and presented on 29/3/2019 to the orthopedic physician at Araya medical center, who thus decided on the necessity of transferring him to the hospital to undergo a clinical examination and that he might need a surgery. He was transferred to custody at Al-Hayat Hospital on 2/4/2019.

It was found that a testimony was also presented by the nurse at Aley prison, Sergeant First Class [REDACTED], who stated that the detainee Hassan al-Dika had been suffering from lower back pain and difficulty in walking, and that he was taking a hypertension medication of the name/type Codiovon. The back pain had increased later and al-Dika started to need support in walking, and he was transferred to Al-Eman Hospital in Aley for radiology imaging and he was prescribed analgesic medications. The prison doctor examined the diagnostic imaging and came to clinically examine the detainee in prison and referred him to consult a specialist in orthopedics, while also prescribing the same hypertension drug because he noted a mild hypertension. The MRI scan was performed on 28/3/2019, then he was transferred to Al-Hayat Hospital for clinical treatment as a result of what the imaging indicated to the doctor at Araya Medical Center. Sergeant First Class [REDACTED] also said that the father of the detainee Hassan al-Dika, lawyer Toufic al-Dika, asked him to prepare a report concerning the health conditions of his son indicating that his back pain was the result of beating and torture, but he refused stating that preparing medical reports was not part of his authorities.

Testimonies were also presented by Colonel [REDACTED], the commander of the convicted wing at Roumieh Central Prison, and the officer in charge of the detention facility at the Justice Palace in Baabda, Captain [REDACTED], and both confirmed that the detainee was in good status [health] on his arrival, and did not suffer any conditions other than hypertension, and was

taking the medications based on medical prescription, and was followed medically by the prison physicians.

A hearing also involved the person in charge of the preliminary investigation at the Information Department [Internal Security Forces] for the case of drug trafficking, and he denied that Hassan al-Dika had been beaten or tortured during his interrogation, indicating that he [i.e. Hassan] presented his statements spontaneously and voluntarily and without any pressure or coercion once confronted with the available evidence, confessions and communications activity record.

It was found that during the hearing sessions for all the physicians who examined the late Hassan al-Dika before and after his arrest, that once asked about the possible causes of his death inside the prison, they unanimously agreed on the hypothesis of a heart attack, stroke or brain stroke in light of his medical condition of chronic hypertension. Forensic physician, Dr. [REDACTED] also confirmed that an autopsy should have been conducted.

It was found that on 23/5/2019, and pursuant to our order, a medical committee composed of forensic physicians [REDACTED] and [REDACTED] was commissioned to study the medical record of the late detainee Hassan Toufic al-Dika, including the radiographic and magnetic imaging and auditing the recordings of surveillance cameras at Al-Hayat Hospital detention facility showing the video records where the indicated detainee had been until his death, and preparing a report on the cause of death. The committee issued its report on [..]/6/2019 [which included the following result:

It turns out that the late Hassan Toufic al-Dika was suffering from:

First: untreated hypertension since an unknown period, untreated hyperlipidemia, chronic smoker, hernia between the L5 and S1 vertebrae causing disruption of the left lower limb nervous force and consequently inability to walk and inability to use the left lower limb (Since he could not use the lower limb, this prevented him from exercising - another risk factor), also without a proper follow-up of the necessary treatments.

Second: During the judicial detention, the deceased was at a medical institution making use of the treatments possible and appropriate for his condition at a high medical level without any negligence on behalf of the medical body, but as a patient, al-Dika always rejected the recommendations of urgent surgery as a radical and definitive treatment of the serious effects of his disease such as chronic hernia removal by surgery, which had been one of the reasons involved in hypertension; and he had been taking analgesics and painkillers in high quantities to alleviate the pain and for a very long period of time, that is, the neglect began from more than a year before his arrest, as he sought adaptation as possible through analgesics and painkillers.

Third: In all the medical documents on the date of his death, there is no evidence of/mention to- any suspicious signs indicating that the deceased was injured or physically abused, nor were any causes leading to death determined in the examination at the laboratories of the Criminal Investigation Department.

In conclusion to the above, medical logic requires us (the Committee of Forensic Physicians) to determine the cause of death as a result of complications of chronic cardiovascular diseases leading to an acute arrest of the heart and lungs, which was the direct cause of death. The complete cyanosis of the face mentioned in the deceased body description, is a suggestive indication of an acute and full heart attack as a cause of death.

## **Second: The Legal Perspective**



In order to establish criminal liability for any criminal act, the causal link between the act and the end result must be established.

Since it is clear from the overall investigations conducted on the death of the late Hassan Toufic al-Dika, at the detention facility of Al-Hayat Hospital, that he was suffering from a chronic condition described in the first part [of this document], accompanied by a refusal to perform any surgical operation except for the only treatment with analgesics. And since surgery to remove the spinal disc herniation could have potentially reduced his pain and the medications he had been taking, and improved his ability to walk, move and exercise, thus helping to reduce fat in the blood, and reducing the risks of the hypertension he suffered.

Since the investigation proved conclusively that the deceased suffered from spinal disc herniation in the lower back and hypertension way long before his arrest, and had frequently visited the clinics of specialized doctors in orthopedic surgery, cardiology and cardiovascular diseases, for examination and treatment, but he had nevertheless persisted on only taking analgesics for the disc herniation, and adhered to medications that control blood pressure [for hypertension].

Whereas this fact refutes the claim that the investigators at the Information Department [of the Internal Security Forces] have caused the late Hassan al-Dika the spinal disc herniation as a result of beatings, torture and suspension.

Whereas the report of the medical committee consisting of the two forensic physicians [redacted] and [redacted] accurately reveal the cause of the death of the late Hassan Toufic al-Dika, which took place five months and nine days after his arrest; this is adding to the fact that no evidence had been found on him being beaten or tortured during interrogation, as evidenced by the overall investigation into the death. Thus, in the case of even hypothesizing a severe ill-treatment did take place during the investigation, the causal link does not exist between that and death, which resulted from an acute heart attack suffered by the detainee during his stay at the detention facility at Al-Hayat Hospital where he was receiving medical treatment and follow-up at a high medical level.

Whereas it is clear that Attorney Toufic al-Dika, the father of the late detainee, has striven to release his detained son on the basis of his health condition, which would not have justified any decision in response to such request; He [i.e. the father/lawyer] has sought to conceal the fact that his son had been suffering his illnesses since before his arrest, and refused to conduct an autopsy to identify the cause of death, trying to blame the judiciary and the judicial police for his illness and death. This is noting that the judiciary cannot be blamed for any failure or shortness in relation to following up on the health and medical status of the detainee, as evidenced by the responsiveness to all his requests for the medical examination by forensic physicians and forensic psychiatric physicians. Attorney Toufic al-Dika succeeded in turning the issue of his son's death at Al-Hayat hospital detention center into a public opinion matter by soliciting emotions and solidarity among political actors and human rights activists who are not yet informed about the truth.

Whereas, this investigation has shown the truth with legal and scientific evidence, thus requiring the dismissal of the case and non-indictment in the death of the detainee Hassan Toufic al-Dika.

For these reasons,

We hereby present to you our report, to support our decision to dismiss the case.

For your kind consideration.

Beirut on 29/7/2019

Acting Cassation Prosecutor

Judge Imad Qabalan

Ministry of Justice - Secretariat

Date of receipt July 30, 2019

Number 570/3