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LEBANON: AMNESTY INTERNATIONAL SUPPORTS RECOMMENDATIONS OF HUMAN RIGHTS COMMITTEE

The Lebanese Government should immediately examine the concerns raised by the Human Rights Committee and implement its recommendations without delay, Amnesty International said today.

The Committee reviewed Lebanon's second report under the International Covenant on Civil and Political Rights (ICCPR) at the United Nations headquarters on 7 April, and issued its concluding observations on 11 April.

"While we welcome the progress in the human rights situation in Lebanon since the end of the civil war in 1990, including the disbanding of most of the armed militias in 1991, the Lebanese authorities have consistently failed to prevent the grave violations which are still occurring," Amnesty International said.

The Lebanese authorities have rarely responded to Amnesty International's concerns -- voiced either in confidential correspondence with the authorities or in public appeals -- about arbitrary political arrests and detention; reports of torture and ill-treatment and deaths in custody which are not adequately investigated; trials which fall short of international standards; the 1994 expansion of death penalty legislation; and the increase in death sentences and executions.

A memorandum reiterating some of the organization's concerns with references to specific cases and incidents was handed to the Minister of Justice and other Lebanese Government officials in September 1996. The State Prosecutor gave a detailed comment on the organization's memorandum to the Lebanese national media in February 1997. Yet neither these comments nor any other responses were communicated directly to Amnesty International.

The Human Rights Committee welcomed the submission of Lebanon's report though noting the long delay in submitting it, and recognised the difficulties involved in implementing the covenant, such as the implications of the conflict in Lebanon between 1975-1990.

During the Committee's discussion of Lebanon's report, however, the Lebanese delegation flatly denied the occurrence of torture. Some of the Committee's experts expressed regret at the *"evasive attitude by the Lebanese authorities in responding to reports of various violations of rights"*. Others emphasised that *"any state where there were accusations of torture had an obligation to investigate and report to the Committee its findings"*.

The Committee made a number of recommendations concerning issues addressed in the government's report. These concerns were shared by Amnesty International: "Lebanon's stress on constitutional guarantees for individual freedoms and human rights protection is not adequate as long as the same laws are not respected in practice". As one of the Committee's experts noted, *"It was one thing to have laws, and another to apply them"*.

The Human Rights Committee's critical observations included:

- < Some aspects of Lebanon's legal system do not conform with the Covenant's provisions, for example decisions passed by the Justice Council are not subject to appeal.
- < The sweeping amnesty granted to civilian and military personnel for possible human rights violations committed during the civil war could prevent appropriate investigation and punishment of perpetrators, undermine efforts to establish respect for human rights, and impede efforts to consolidate democracy. Amnesty International believes that amnesty laws which prevent the emergence of truth and subsequent accountability before the law, are not acceptable.
- < The role of Lebanese internal security forces and military with regard to arrest, detention and interrogation of individuals has not been properly clarified by the Lebanese delegation. The Committee particularly regretted the lack of information from the Lebanese delegation concerning the arrest, detention, interrogation, as well as the possible transfer to Syria of Lebanese citizens by Syrian security services which continue to operate within Lebanon's territory with the consent of the government. Amnesty International and other human rights organizations have repeatedly submitted detailed and documented cases of such violations to the Lebanese Government, yet the Lebanese delegation told the Committee that it "*knew of no human rights violations by Syrian forces*" in Lebanon.
- < The Committee expressed concern about the military courts' broad scope of jurisdiction in Lebanon, the trial of civilians in such courts, the procedures followed and the lack of supervision over procedures and verdicts by ordinary courts.
- < The Committee expressed concern about well-documented allegations of torture and cruel, inhuman or degrading treatment committed in Lebanon and urged the government to investigate the allegations of torture and ill-treatment by the police, and Lebanese and non-Lebanese security forces operating within Lebanon's territory; the occurrence of arbitrary arrests and detention; searches operated without warrants; and abusive treatment of individuals deprived of their liberty, and violations of the rights of fair trial.
- < The Committee expressed "*deep concern*" over the Lebanese Government's extension of the number of crimes carrying the death penalty, and urged the government to review its capital punishment policy with a view to limiting and ultimately abolishing it.
- < The Committee also expressed its concern regarding the total ban on public demonstrations which is not compatible with the right to freedom of assembly. Amnesty International has noted that this ban has routinely led to violations of other rights such as detention of possible prisoners of conscience or violence against demonstrators, sometimes resulting in killings.

Amnesty International urges the Lebanese Government to implement the recommendations of the Human Rights Committee in order to bring the country's legislation and practice into conformity with its international obligations.

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