



المنظمة الفلسطينية لحقوق الإنسان (حقوق)

Palestinian Human Rights Organization (Rights) - PHRO

Member: Euro – Mediterranean Human Rights Network (EMHRN)

Member: International Federation for Human Rights (FIDH)



Translated Version

Beirut, August 16,

2007

A Report on the Conditions of Palestinians Detained in Relation to Naher El-Bared Camp Incidents

EVALUATION

Since the fighting in Naher El-Bared started in 20 May 2007, Palestinian refugees, particularly in northern Lebanon, were subjected to intensive harassment and violation of their human rights for the simple reason of being Palestinian, at the hands of security forces, particularly the Lebanese Army. The Palestinian Human Rights Organization - PHRO monitored and documented some of these infringements and published a succession of reports describing their maltreatment and the humiliations they were subjected to. According to the testimony of some Palestinian camps' and gatherings' residents who were subjected to detention at army checkpoints on roads leading to Northern Lebanon (just for being Palestinians), they were insulted and beaten by soldiers. Among those meeting this fate was our colleague (W.H) who has reported that he observed a 13 year old child from Naher El-Bared Camp among tens of other detainees.

As a result of the continued receipt of reports on the arrest and detention by the Lebanese Army of many Palestinian refugees in Lebanon and the visits to our organization by the families of detainees, in addition to the inquiries from legal and humanitarian organizations, the PHRO organized inspection visits to Roumieh Prison with a view to meeting Palestinian detainees and investigating the circumstances surrounding their arrests. 72 detainees have been met in buildings (B) and (D) and also in the Juvenile Detention Building (it is to be noted that this building housed grown-up detainees too). Two of the detainees met had been arrested for criminal causes while the remainder were arrested for causes related to the Naher El-Bared incidents. Charges ranged from affiliation to "Fateh El-Islam", "the Popular Front for the Liberation of Palestine - General Command", "Al Quaieda", Jund El-Sham", in addition to the Barr Elias incidents and the explosions at Ain El-Hilweh Camp.

CAUSES OF ARREST

Meeting the detainees have revealed that the reasons which prompted the army to tie them to the Naher El-Bared incidents and their eventual detention were several and different. Some of the met detainees testified that their relationship with Fateh El-Islam was restricted to selling them simple merchandise (shoes, food...) in their capacity as sales people or by renting (by the hour) a property or part thereof for sports activities. Others considered their arrest as a result of fraudulent complaints made for personal reasons. There were also those who were affiliated



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to certain squads or organizations who reported that their arrest was due to complaints by their supervisors related to thefts that occurred for the account of those supervisors. One detainee reported that he had been sent by some of his supervisors to deliver items to people outside the camp. Some of those who had been interviewed in the prison reported that they were arrested for old criminal charges such as: forming an armed gang, membership in an armed organization... They claimed that they had been promised by a responsible member of one of the PLO organizations at the North that they would not be arrested. Other detainees claimed that a Palestinian religious body instigated them to stay in the camp while members of this body came to the camp and left, claiming that the end of the clash was at hand.

TREATMENT

Most of the detainees interviewed stated that they were subjected to the ugliest kinds of physical and psychological abuse and torture immediately upon arrest. Some were forced to drink urine while some were made to stand for more than one day with eyes closed and hands tied behind their backs. Empty bottles were introduced into the back sides of some. There were some who were beaten by a thick stick armed with an iron cudgel on sensitive, weak and sick parts of the body. All this was accompanied by vile and abusive cursing, profanity and threats of ravishment. Investigators used all these instruments to secure confessions of ties to Fateh EL-Islam. Torture has forced most of the detainees to sign minutes of the proceedings that had not been shown to them. Our team which made the visit to the prison witnessed the marks and scars of torture on the bodies of several Palestinian detainees. It should be mentioned that a very limited number of the detainees interviewed said that they had not been subjected to any abuse. It must also be pointed out that a number of detainees have not been accused and their detention will continue until all signs of their scars resulting from abuse and torture disappear.

PHYSICAL AND PSYCHOLOGICAL CONDITIONS

Regarding the physical and psychological conditions surrounding Palestinian detainees, medical examinations of some of them have revealed the critical physical and psychological condition of some of the inmates as they suffer from incurable nervous system diseases that require special attention which is not available to them at present (like the detainee - F.S who also suffers from bullet wounds). Also some detainees suffer from critical diseases including heart trouble, asthma, and diabetes, high blood pressure in addition to skin diseases who all are not at present receiving any treatment or medicine.

AN APPEAL

It is important for the PHRO to assert to all concerned parties that these measures taken against innocent Palestinian refugees are violations to all international covenants and conventions that



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guarantee the rights of any human being without any distinction and which includes recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. The PHRO considers the arbitrary arrest and detention of innocent human beings as contrary to the dictates of the International Bill of Human Rights of which Lebanon is a signatory to most of its conventions, and breach in particular article (3) of the Universal Declaration of Human Rights (UDHR) and article (9) of the International Covenant on Civil and Political Rights (ICCPR) which states that: **Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.** Also article (5) of the UDHR and article (7) of the ICCPR which state that: **No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.** In this respect, the PHRO appeals to the Lebanese Government to urgently release all detainees with no criminal relationship to what is currently taking place in Naher El-Bared Camp thus applying the international legal precept that everyone charged with a penal offence has the right to be presumed innocent until proved guilty in accordance with article (11) of the UDHR and ensuring a fair trial for those proven guilty in an impartial and independent court of law, taking into consideration that any confession obtained under duress is considered null and void since it is contrary to the precept that it is not allowed to force any person to be compelled to testify against himself or to confess guilt in accordance with article (14) Paragraph (G) of the ICCPR. The PHRO further calls for serious and immediate assistance in ensuring health and medical care to all detainees, particularly to afflicted ones and transferring them to hospitals in case of need.

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