



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)



Beirut, June 12th, 2008

Follow-Up Report

Serious Challenge Reached Threatening Our Lives at the PHRO

This report was prepared as a matter of follow up and update to our previous report dated May 23rd, 2008 and titled "Executive Report: **Serious Challenge Reached Threatening Our Lives at the PHRO - Your Urgent Action is Needed**". Within this present report, we aim at spotting the light on the developments that took place from **May 24th to June 7th, 2008** with respect to the case(s) [Mr. Rabieh Rashed Hussien^{1[RRH]} kidnapping, Mr. Abdelaziz Tarakji^{2[AT]} received threats and Mrs. Nisreen Mahmoud Dandashli^{3[NJD]} protection] that are gradually following up since April 11th. The following report, in particular, will provide a summary on the progress related to:

- I. the victims (Rabieh and Nisreen) and their statements
- II. the threats that we received due to being following up these cases
- III. The settlements (mechanism and conditions) that took place so far

I. THE VICTIMS & THE STATEMENTS

1. Mr. Rabieh Rashed Hussien

On the morning of May 24th, we were awaiting Rabieh to come from his home, in order to go from the PHRO to the Anti-Terrorism & Serious Crimes Division⁴ where he has to provide his statement. However, he did not show up, and this worried, us so we started to inquire about him where we found out that he is at the division's premises where some one drove him there.

As for Rabieh's statement, we can indicate that, it has technically happened, nevertheless his statement did not comply with the testimony he gave to us..

Later on and throughout our communication with Rabieh, we asked him whether he was subjected to any kind of pressure at the division, by the investigators, or any one else, which might consequently lead him to change his statement. Taking a deep breath, he sporadically said that he is tired, denying being pressured at the division. It is noteworthy to mention that during Mr. Abdallah's presence at the division, he was allowed to see Rabieh for few minutes during which he witnessed that investigators are kind with Rabieh , asking him if he want to postpone giving his statement to another day. Despite being/looking very tired, Rabieh refused and insisted on giving his statement on the same day.

¹ RRH: Palestinian Refugee, born in Lebanon on 1974, Disabled, Married, Father for three young children, live in Rachidieh Camp. He was arbitrarily detained by the "Gateaux" from April 8th to April 23rd

² AT: President, Palestinian Human Rights Foundation (Monitor)

³ NJD: Palestinian Refugee, born in Lebanon on 1985, Married to Mr. Mohammad Hussien Askoul^{1[MHA]}, and also lives in Rachidieh Camp. She flee her parent's home with the assistance of RRH's brother (Mr. Nader Hussien)

⁴ Anti-Terrorism & Serious Crimes Division: they are responsible for the investigation - in our report we indicated them as Department of Fighting Terrorism



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Contrary to what happened during Mr. Tarakji's⁵ statement session, Mr. Abdallah was not allowed to stay as an observer during Rabieh's investigation session, despite having the legal authorization to be presented. Furthermore, the lawyer who came afterwards to attend the investigation session was prohibited from joining the session despite being as well legally authorized since she is Rabieh's lawyer.

Afterwards, we knew that a person known by the name **Mahmoud Hamad**^{6[MH]} took Rabieh from his temporary home at the early morning of May 24th, and drove him to the division's premises.

Moreover, we knew that on the eve of providing his testimony, **Mr. Ibrahim El-Khatib**^{7[IK]}, lured Rabieh and pressured him to change his testimony where he indicated for him what to exactly say at the Anti-Terrorism & Serious Crimes Division. He also asked him not to communicate with us, and gave him money to change his phone number. At the same time, he called **Mr. Mahmoud Hamad** (*who obviously has good relations with people at the division*) and asked him to accompany Rabieh the next day to give his statement. Note that all this happened on the same night when we had a frankness meeting with **General Sultan Abo El-Ainien**⁸ "Abo Riad" where we convinced him that: *(1. the case is humanitarian and legal and not political; 2. Neither the case, nor our follow up for it are directed towards him as he thought or as per the rumors reached him by his men/links.)* We together agreed to maintain the case in its nature and treatment and to keep it away from being politicized. Within the same meeting, **General Abo El-Ainien** asked us to arrange for a meeting between Nisreen and her mother in the presence of a social worker from the **General Union for Palestinian Women (GUPW)**, which in fact took place the next day (i.e. May 24th).

Finally yet importantly, until the date of issuing this report, Rabieh and his family are still residing at the apartment (out side the camp) that we have rented for them.

2. Mrs. Nisreen Mahmoud Dandashli

Nisreen met her mother on May 24th. She should have given her statement on May 26th, but this did not take place. In the meeting with her mother, the latter told her that Nader returned to his family. Afterwards, Nisreen asked us to affirm what her mother has said regarding Nader. Later on, we confirmed that for Nisreen.

Nisreen retreated her testimony regarding the rape by her father, but she insisted on assuring the other issues in her testimony (forced marriage, agreement between her family and her husband to allow the latter to rape her, violence she was subjected to ...etc). Nisreen didn't want to file any law-suit against

⁵ Mr. Abdelaziz Tarakji, Monitor's President gave his statement on the threats he received at the division's premises on May 22nd, 2008 and he insisted on it on a second session that took place on May 26th.

⁶ MH: Deputy of /Assistant to Mr. Jamal Slieman who is responsible for Ansar Allah Group (Arabic Pronunciation of God's Advocators Group); it is essential to indicate that this group was partitioned from Fateh Movement in mid 1980s; They are directly linked to Hizbollah and Iran!

⁷ IK: Palestinian Refugee, Officer in charge of the Personal Security of Fateh Movement General Secretary in Lebanon, General Sultan Abo El-Ainien

⁸ General Secretary of Fateh Movement in Lebanon



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her father, but she was also afraid to go back to her family. We informed her about a possible settlement agreement that could be achieved and she agreed about its content. Thus, on **May 28th** the settlement took place at the premises of the Anti-Terrorism & Serious Crimes Division in the presence and under the patronage of the General responsible for the department. Within the settlement, Nisreen's safety was guaranteed by **General Sultan Abo El-Ainien "Abo Riad"** who was presented during the meeting as well. The settlement further indicated that:

1. *Nisreen will stay with the General Union for Palestinian Women (GUPW); for this purpose, the head of the (GUPW), Mrs. Amneh Jebriel and a social worker⁹ from the union, Mrs. Zahra Wakkal, were presented in the meeting*
2. *GUPW would not give Nisreen back to her family (but they can visit her)*
3. *Both the GUPW and Nisreen's family will work to ensure that Nisreen will be divorced from her husband, if this is her demand; especially that she has married him by force*
4. *GUPW will work with Nisreen and her family in order to narrow the gap of fear and blame between them so when all are ready to get back together, she will not be harmed or exposed to violence*

It is noteworthy to mention that on the same day where the settlement took place (May 28th), Nisreen has officially authorized us to interfere whenever we feel that her safety is endangered.

To wrap up the statements' issue, it is major to clarify that **Mr. Nader Rashed Hussien¹⁰[NRH]**, who assisted Nisreen in fleeing her parent's home, did not show up on May 26th in order to give his statement as it was planned and mentioned in our previous report. Despite that, he called **Mr. Ghassan Abdallah, PHRO General Director**, on May 26th, who urged him to be presented on time at the division's premises and to provide his statement, however, this did not take place. Later during the same day, Nader called again requesting a meeting with us. The meeting during which his family was presented as well took place. Within the meeting he claimed that Nisreen's father, **Mr. Jamal Mahmoud Dandashli¹¹[JMD]**, and the parties that assist/support him "**Gateaux**", have fabricated charges for him (Nader) and for this reason, Nader explained that he was afraid to go to the division, fearing to get arrested there. Since then, we have not heard again from Nader and we assume that he is hiding.

II. THE THREATS

The threats started on April 17th/18th 2008 as per the first press release that we issued and the next day's press release issued by the **Palestinian Human Rights Foundation (Monitor)**.

⁹ Mrs. Zahra Wakkal, social worker with the General Union for Palestinian Women (GUPW). She was presented when Nisreen met her mother on May 24th, 2008.

¹⁰ NRH: Palestinian Refugee, born in Lebanon on 1976, Married, Father for three young children and also lives in Rachidieh Camp. He assisted Nisreen to flee he parent's home

¹¹ JMD: Palestinian Refugee, Responsible for a Military Unit at the Fateh Movement which is the biggest Palestinian Political Party and lives in Rachidieh Camp. He is known as "**Gateaux**"



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The early threat(s)¹² was from **Mr. Ibrahim El-Khatib¹³[IK]**. Afterwards, the wave of intimidations was heightened in language and in the threatening characters as well. These threats that we knew about them from Palestinian Politicians addressed both **Mr. Ghassan Abdallah (PHRO's General Director) and Mr. Edward Kattoura (PHRO's Vice President)**. **Within these intimidations wave, Mr. Abdallah was described as agent/spy (working with the west, with Israel ...), and Mr. Kattoura was identified as working with the Lebanese Phalange¹⁴ Party and the Lebanese Forces¹³ Party and for these reasons they must be killed.** The most alarmed threats were those which we received in the frame of advices from friends/links at different political parties especially Fateh Movement. Those friends/links were strongly advising us to quit following up these cases (Rabieh, Nisreen ...). **They were repeatedly transferring the message they hear, or the message that reaches them. They continued to say: "...those people¹⁵ are able/can send offenders who easily can harm/kill you ... !!!"** Under the pretext of fearing that **Mr. Abdallah and Mr. Kattoura** could be harmed, they were continuously advising them both to decide on giving up the case(s) follow up in order to secure their safety. They even started to communicate with Mr. Abdallah's wife, where they were imploring her to convince him to leave the case. These threats, pressures, advices ...etc increased rapidly since May 20th (*when it was known that Nisreen reached us, the day before, seeking protection*) where most of these threats were from the side of Fateh Movement.

The intimidations and threats reached their maximum on 26th/27th May 2008. At this stage, the threats were framed as follows: **"they will enter to PHRO Office, shoot all who they might find there, and burn the office afterwards"**. Those threats were initiated by **Mr. Jamal Slieman¹⁶[JS]**. We knew about them through contacts who on their turn have their own links with **Mr. Slieman** and his group. It is highly essential to reveal that, when he visited us (*May 27th, night time*) as a step of re-initiating the dialogue and negotiations with the intention of solving the problematic issues within the case, **Mr. Slieman** admitted that he has issued such threats and he tried to justify it. He emphasized that these threats came out in anger moments. He added: "I heard many things about you, which lead to this anger". **He neither said what he has heard about us??? nor from whom!!!**

In light of such threats, we should stress on the issue that PHRO office has amongst it on regular basis at least 6 people (staff, driver ...) rather than Mr. Abdallah & Mr. Kattoura!!! This is without mentioning people who might be visiting for meetings, revisions ...etc.

¹² The early threats was stated by breaking Mr. Abdallah's hands and place them inside

¹³ IK: Palestinian Refugee, Officer in charge of the Personal Security of Fateh Movement General Secretary in Lebanon, General Sultan Abo El-Ainien

¹⁴ Phalange Party and Lebanese Forces Party are Lebanese Political Parties, supported mainly by Maronite Christians.

¹⁵ referring to the threateners and the parties that support them

¹⁶ JS: Palestinian, Head of Ansar Allah Group (Arabic Pronunciation of God's Advocators Group); it is essential to indicate that this group was partitioned from Fateh Movement in mid 1980s; They are directly linked to Hizbollah and Iran!



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III. THE SETTLEMENTS

Despite that we are following up a just case of several brutal documented human rights violations which are backed with the victim's testimonies, but due to the:

1. *loads of threats and intimidations that endangered so many lives*
2. *shy support and solidarity from the local civil society organizations as well as the concerned bodies on both the local and international levels*
3. *absence of protection for human rights violations victims, witnesses and human rights defenders in both Lebanon's legal system and civil society's programs*
4. *mess and disorder that the country passed in, especially during May 2008, which was a chance for those who believe that solving the problem could be reached by getting rid of their adversary*
5. *limited resources in relation to follow up such cases on the long term and the increase in the expenditures level due to ensuring the protection of the victims by our own, which technically increased the level of pressure on us as well*

... Thus and in light of all the above mentioned particulars, we found ourselves **OBLIGED** to reach the settlement choice!!! However, and on the same time, it is highly and vital to assure that even the settlement is bounded with the condition of being, some how, **JUST** and **EQUITABLE** i.e. the settlement includes (apologies, guarantees for ensuring the safety and not harassing victims, declaring the intention to compensate ...etc) which technically means admitting/confessing the perpetration of the action. All these apologies and guarantees are aligned with dropping the lawsuits, **BUT NOT THE RIGHTS.**

On June 6th, and at Anti-Terrorism & Serious Crimes Division, with the presence and under the patronage of the General, head of the Division, **Mr. Dandashli¹⁷ known as "Gateaux" and who is the basic character within the whole case**, has signed a statement that includes all our above mentioned conditions, where as **Mr. Ibrahim El-Khatib¹⁶** has not signed such a statement yet.

Mr. Dandashli's signed proclamation included the following processions:

1. *Gratitude for the PHRO for taking care about Nisreen (his daughter) since she has reached us (May 19th) in addition to apologies for any humiliation or spoil he caused for us*
2. *Apologizing to Mr. Rabieh Hussien for any caused damage and declaring the well to guarantee Rabieh and his family's safety in addition to taking care of him*
3. *Apologizing to Mr. Abdelaziz Tarakji for any caused damage, declaring the well to compensate and guarantee Mr. Tarakji and Monitor's staff and Members safety*

¹⁷ Mr. Dandashli and Mr. El-Khatib are the main characters that lawsuits were filed against.



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At the end of our report, and in light of all the above and the previously mentioned complexities and violations, we view that several shortfalls within the Lebanese legal system surfaced as follows:

- ☒ *Protection of witnesses and victims*
- ☒ *Protection of Human Rights defenders whose lives and safety are at risk*
- ☒ *Prosecution of perpetrators of criminal acts in Palestinian refugee camps according to the Lebanese legal procedure and respecting international standards*

Under International Law, the State of Lebanon has a duty to prevent such threats from happening, to protect individuals under its jurisdiction from threats to their safety and physical integrity, and to provide a remedy for any such violations.

Therefore, we highly recommend that the following steps to be undertaken by:

1. The New Government:

- ✓ *Ensure the immediate protection of victims, witnesses, and Human Rights defenders through making available to them a wide array of options for their protection*
- ✓ *Ensure to victims of violations the right to a fair trial and prosecute perpetrators according to international standards*

2. The Representation Office of the Palestinian Liberation Organization (PLO)

- ✓ *Condense efforts in arranging the Internal Palestinian Arenas*
- ✓ *Cooperate on the basis that the State can chase the law breakers inside the camps in order to guarantee their prosecution*

We believe that our efforts on the level of human rights and especially within the Palestinian Communities are vital; however, we foresee that effect will be much more abundant when the real solidarity and mature cooperation is implemented especially between the civil society organizations that should complement each others. Hereby we extend our cordial thanks for the institutions who supported and addressed our situations in their meetings, statements ..etc.

For Inquiries, clarifications or more details on issues mentioned within our report, please contact Mr. Ghassan Abdallah - General Director - at the following: number 00961 3 780034 and email ghassana@palhumanrights.org

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