

(Human Rights research)

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Introduction:

Hopes shattered by the long wait in dark, overcrowded cells that lack the minimum requirements for a decent life for a prisoner. That is the fate of everyone who has set foot in prisons. The suffering of Palestinian prisoners and detainees in Lebanese prisons are considerable, in comparison to the UN Minimum Rules for the Treatment of Prisoners. Prison conditions can be abbreviated to very bad. Hundreds of people have been waiting for fair trials for years, and some of them have been arbitrarily arrested. Prisoners searching for justice that does justice to them and news that will give them hope again.

Lebanese prisons and prisoner rights:

- Prison is a closed place where the guilty person is detained according to a court ruling to implement the punishment issued by the court by a decision of the judge.
- There are 25 prisons on the Lebanese territory under the custody of the General Directorate of the Internal Security Forces. The basic capacity is 2526 prisoners, while today it is more than 6,966 prisoners, meaning overcrowding exceeds 141%.
- Prisons include Lebanese, Syrians, Palestinians and other nationalities. According to a previous study we issued, the total number reached nearly 400 Palestinians between detainees and sentenced persons.
- It is estimated that the number of detainees was between 75 and 100 Palestinians, whose cases were divided between terrorism, drug and other criminal cases.
- The largest and most important Lebanese prison is the central prison in Roumieh, which is considered one of the most overcrowded prisons.

Rights of prisoners and detainees according to international rules:¹

¹ مذكرة "هيومن رايتس ووتش" إلى "الجنة حقوق الإنسان" قبل استعراض لبنان، مايو/أيار 31، 2017، انظر الرابط، <https://www.hrw.org/ar/news/2017/05/31/314772>

The Universal Declaration of Human Rights in 1948 recognized some of the rights of a person accused, arrested in case, or imprisoned, and the most important of these rights are:

- No one shall be subjected to torture or cruel or inhuman treatment.
- Every person everywhere has the right to have legal personality recognized.
- All people are equal before the law; they are equal to the protection of the law without discrimination.
- Every person has the right to resort to the competent national courts for effective justness from any acts that violate the basic rights granted to him by the constitution or the law.
- No person shall be arbitrarily arrested, detained or exiled.
- Every person has the right to have his case heard by an independent and impartial court.
- Every person accused of a crime is presumed innocent until proven guilty of it legally in a trial.

International organizations call on Lebanon to improve the conditions of prisoners and detainees:

Torture is still used as a method of investigation in detention facilities. The Human Rights Watch report on torture in Lebanon included testimonies from several detainees who admitted being beaten and tortured during interrogation, in several detention centers.

The reality of Palestinian prisoners and detainees in Lebanese prisons:

Through research, we found that prisoners and detainees suffer from the following:

1. Prisons lack health, spatial and legal conditions, which contradict with international rules in this regard.
2. Suffocating overcrowding in an uninhabitable environment.
3. There are Palestinian detainees who have not **appointed** lawyers due to their inability to pay the financial burdens, which led to a delay in the issuance of sentences against them..
4. There are some cases where their sentences end and they cannot get out due to the accumulation of fines.
5. Some end up addicted to sedatives or antidepressants, or others live with the possibility of a nervous breakdown at any time.

6. The need for some of them to diphthongize judgments.
7. Delay in their trials.
8. Palestinian prisoners or detainees do not benefit from legal aid for prisoners.
9. The bureaucracy adopted during the visit prevents the family from visiting them permanently.
10. It is difficult for their families to provide the minimum food and health requirements due to the lack of a breadwinner for their families abroad.

The health status of Palestinian prisoners after the economic crisis and the propagation of Corona virus:

The Palestinian Association for Human Rights (witness) followed the developments of the health situation in Roumieh Central Prison, where (witness) expressed its fear of the following:

First: The possibility that thousands of prisoners, including more than 400 Palestinian prisoners and detainees in Lebanese prisons, could be infected with the Coronavirus, and endanger their lives.

Second: The absence of health care in light of the difficulty of implementing preventive procedures as social distancing and isolate the infected ones, due to the great overcrowding in Lebanese prisons in general and the weakness of their infrastructure.

Third: There is a shortage of food provided to them, especially after the economic situation that the country went through.

The dramatic increase in the number of infected and the propagation of the epidemic inside prisons is nothing but a collective execution.

The suffering of the families of Palestinian prisoners and detainees:

The suffering of the families of Palestinian prisoners and detainees in Lebanese prisons begins at the first moment of the issuance of the decision to arrest their children. The mother of the former prisoner in Roumieh prison "N.M" tells us the story of the tragedy that the families live during the visit, which appears in the following points:

- Waiting hours at the military court to collect a visit permit.

- Checkpoints inside prisons where they are subjected to inhuman treatment in some cases, and the lack of respect for privacy, and the long waiting
- Most of the families suffer from chronic diseases such as diabetes and other diseases, so they cannot find a place to rest or even to relieve themselves.
- Psychological pressures experienced by parents because of seeing their children behind bars without trials.
- The high fee lawyers receive for pursuing any case.
- Miserable financial situation, especially if the detainee is the only breadwinner for his family or the head of the family, so the families cannot find anyone to help them with their day's food.
- Forcing people to buy from inside the prison store, which puts unimaginable and incapable prices for food supplies, because of the prison's internal system.
- Weekly transportation expenses to prisons especially that some families have more than one detainee in different prisons, so the burden is compound and the tragedy is doubled.

Prisoners Families Committee:

It is a committee that includes the families of prisoners and detainees, and it activates their cause and defends them through the media, sit-ins, and visit officials.

"Mujahid Dahsha," a member of the Palestinian Prisoners Families Committee, confirms to us that "the health conditions that prisoners live in after the spread of the Corona epidemic are very difficult." Mr. Dahsha also spoke about the suffering of the families, especially after the postponed of trials, and not to release those who have finished their sentence. In addition to the restrictions that occur during the visits to the prison and the lack of respect for the privacy of the families, in addition to the high price that the families of prisoners and detainees face, and he also confirmed the continuous demands of the families to approve the general amnesty law to include everyone without exception.

Mr. Dahsha also added: "All Lebanese sects will benefit from the general amnesty that was hoped to be issued soon, but was not approved for political reasons, and which was supposed to include Palestinian prisoners also without discrimination."

Summaries:

Through the research, the study reached a number of conclusions, the most important of which are:

- Failure to respect the minimum rules for the treatment of prisoners in all aspects (legal, health, and spatial)
- A miserable reality that Palestinian prisoners and detainees live in Lebanon's prisons, all of which lack proper conditions.
- There is great concern about the health status of prisoners and detainees, and fear of the increasing number of people infected with Coronavirus and the spread of this virus inside prisons.
- Extremely difficult suffering experienced by people of convicts and detainees (starting from the moment of arrest, delayed trials, absence of a breadwinner, and does not end with visits)
- Requests to speed up trials and approve a general amnesty law for their children.

Based on the above, we at the **Palestinian Association for Human Rights (witness)** submit the following recommendations:

1. We demand the Lebanese government to look at the Palestinian prisoners with a humanitarian look instead of keeping them hostage to political disputes and disputes, and to expedite the issuance of a general amnesty.
2. We demand to expedite the trial of the Palestinian detainees, and the release of those who finished their sentences.
3. Exempting prisoners who are unable to pay their fines due to the economic conditions in which the Palestinians live.
4. We directly demand the Ministry of Health to assume responsibility for health care in prisons.
5. We call on the Palestinian political leadership in Lebanon to take care of the conditions of prisoners and detainees and their families.
6. We call on the protection department of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) to defend any Palestinian prisoner or detainee, and we call on the health department to provide them with health care.
7. We call on the Palestinian Authority embassy in Lebanon to follow up the file a legal follow-up, by appointing lawyers

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Palestinian Association for Human Rights (witness_