Human Rights in Lebanon 2000

Report - Lebanese Information Center. (December 2000)

The director of UNESCO's regional office in Beirut, Victor Billeh, in an interview with the Lebanese newspaper L'Orient-Le Jour on September 20, 1999 said: "Peace does not entail solely the eradication of hostilities but it also involves preaching world human values such as the respect of human rights, cultural and religious diversity, equality and social and democratic justice".

Such peace Lebanon did not discover yet after the war ended in 1990. Every year, the country, which suffered the devastation of war, still suffers today and on the hands of its own government.

The Report by the United Nations Development Program issued in year 2000 and titled "Human Rights and Development", ranked Lebanon 82nd amongst nations while in year 1999 it was ranked 69th. The decline in Human Rights respect and in preservation of justice is due to Syrian hegemony over Lebanon and the attempts by the Lebanese Authorities to tame the opposition and curb freedoms.

The following is Lebanon's record on Human Rights for year 2000:

Part 1: Civil Liberties

A- Freedom of Press and of Opinion:

Despite the many proclamations by the Lebanese authorities on the Freedom of Press as being a divine right and despite their assurances that they will take all measures to ensure its preservation, the fact remains that year 2000 witnessed many violations. Journalists practiced self-censorship, their phones were tapped and they continuously receive "advices" not to tackle or discuss certain issues.

Publications or even social and cultural events, which displayed any notion opposing Syrian Military Presence in Lebanon or handled an issue considered off limits by the Lebanese Government, were subject to censorship.

Following are some examples of recorded violations:

- In June 2000, following the death of Syrian President Hafez Assad, foreign publications were banned from distribution because they allegedly defamed the late Syrian President or his successor, Dr. Bachar Assad. The Herald Tribune, Le- Monde, Le Figaro, Liberation, Economist, Financial Times, Newsweek and Time were seized at the airport by the Surete General.

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- In July 2000, the Lebanese Internal Security Forces confiscated the passport of the New York bureau chief for the London-based daily "Al-Hayat" Raghida Dergham as she arrived at the airport accompanying UN Secretary General Kofi Anan. Her passport was canceled and embassies abroad were alerted not to have it renewed. Ms. Dergham had previously appeared on a panel hosted by the Washington Institute in May 2000 with Uri Lubrani, coordinator of Israeli activity in southern Lebanon. The Lebanese Authorities prohibit interactions with Israelis.

- In July 2000, a musical performance "Nashid El-Anashid", part of the Baalbek Festival, was subject to censorship because some of its texts were based on the Old Testament's Song of Solomon, King of Israel.

- On September 8, 2000, Adnan Shaaban, a retired army officer and a contributor to Al-Nahar newspaper, was detained at the Justice Palace over some articles he wrote about the imbalance in the Lebanese-Syrian relations. The Al-Nahar Editor-In-Chief Unsi El-Hajj and the Executive Director Joseph Nasr were also subpoenaed and investigated with. The head of the Surete Generale, Brigadier Jamil Sayyed issued an order preventing Mr. Shaaban from leaving the country.

- In October 2000 pressures exerted on the TV station LBC (Lebanese Broadcasting Corporation) escalated to armed elements, loyal to the pro-Syrian Minister Suleiman Franjieh, surrounding its main building. Minister Franjieh, who owns some shares in the TV station, was dissatisfied with the extensive coverage the station was giving to the communiqué issued by the Maronite Bishops Council and other Christian leaders opposing Syrian military presence in Lebanon. As a result, the TV station's news program was put under direct political censorship.

- On November13, 2000, a lecture by Gebran Tweini, Editor-In-Chief of Al-Nahar Newspaper, was canceled after armed forced deployed to the School of the "Two Holy Hearts" where the lecture was supposed to be held. Pressures were exerted upon the administration to cancel the event. Tweini is known to be a vocal opponent of the Syrian military presence in Lebanon.

- In December 2000, the newspaper Neda-El-Watan seized its publication after a series of harassments and pressures by Security Forces over voicing opinions not aligned with those of the Lebanese government.

- Throughout the year, the Security Forces continued its interference with Radio and TV news and Political Programs. TV stations and producers routinely receive threats not to welcome certain politicians or public personalities who are opposed to the government. The interview conducted by Magi Farah, program hostess for "The Future" TV with the Orthodox Metropolite Elias Awdeh, a vocal opponent of the Syrian military presence in Lebanon, was cut and censored. Magi Farah submitted her resignation in protest.

Freedom of expression was on attack in year 2000. The following are some examples:

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- In June 2000, Muhamad Mughrabi, a human rights activist and lawyer, was subject to numerous threats, police harassment and legal actions as a result of lectures he held and in which he criticized Judges, accusing them of bribery and misuse of power.

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- On June 10, 2000, Salah Noor El-Deen was fined 900,000 Lebanese pound and sentenced to one year in jail by the military court for publicly displaying joy upon receiving news about the death of Syrian President Hafez Assad.

- Mr. Saleem Gharios, a member of the Lebanese Lawyers Union, was transported to a nearby hospital after being ambushed in front of his house in the Northern Metn area. He was physically assaulted and badly beaten by armed civilian elements. Mr. Gharios publicly condemned the haphazard, random and illegal arrests by the Ministry of Interior' security apparatus. People recognized the attackers as members of the security apparatus loyal to then Minister of Interior, Michel Murr.

B- The Prison System:

In July 2000, a delegation from "International Penal Reform", a London based organization concerned with monitoring and reforming prison systems in more than 50 countries worldwide, took a tour of prisons in Lebanon. The delegation noted the poor prison conditions and how they do not meet international minimum standards.

The following is a close-up of the prison conditions in Lebanon:

- In year 2000, prisons in Lebanon held up to 7287 prisoners while the normal capacity is 3840[1]. The overcrowded facilities became infested with easly-transmitted diseases, especially with the shortage of toilet and bathroom facilities, designated food areas and beds. Prisoners have to sleep on floors because there is one bed for every three prisoners, according to statistics. In the Barbar Khazen barracks in Verdan district in Beirut, 36 female prisoners are crowded into an area of 15x15 feet.

- The lack of hygiene led to several deaths amongst prisoners. Jamal Yaseen in Roomieh Central Prison died on June 6, 2000 of an asthma attack, ten days after his incarceration. The 19 years old Sudanese national Awd-Allah Joom Jakroom died in Roumieh Central Prison on November 3, 2000. Furthermore, the swarming facilities also amplified negative effects on morals and social interactions and behaviors. The number of incidents reported on perverted sexual behavior and fistfights between the prisoners grew higher in year 2000 with the growing prison population.

- In some prisons, the lack of heat presented a serious health peril. Baalbeck prison does not have any heating mechanism or appliances at a time when the temperature dips down to zero degrees Celsius in the winter season.

- More than 1500 people are under provisional arrest and a large number of them have served in jail thus far between two to three years without due process. Some, if found guilty, would have served longer sentences than what the courts would have given them. For example, one man was arrested two years ago for fraud and still awaits his trial. Had he been convicted when first arrested, he would have been gotten a maximum sentence of six month as stated in the penal code section 658[2].

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- The Lebanese laws pertaining to inmates do not distinguish between severe crimes and minor crimes. They do not take into account the prisoner's record, age or sex when

[1] Ministry of Interior statistics, January 12, 2000
[2] Report by the retired judge Mouneef Hamdan, published in the Al-Nahar newspaper December, 17 2001

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determining where to detain the accused. Murderers and drug dealers are detained in the same cell or facility with those charged with check forgery. Furthermore, provisional detainees are held along with those convicted of capital crimes.

- The government has yet to apply the law that was passed in 1964, which provided that prisons and detention centers be under the supervision of the Ministry of Justice and not the Ministry of Interior.

- Prisons in Lebanon do not sponsor rehabilitation programs to prepare offenders to re-enter society. In fact, due to all the problems we stated above, the Lebanese prison system may cause the society more harm.

Detention Centers and Interrogation

There are several detention centers in Lebanon, the chief one is at the Ministry of Defense in Yarzeh. Others are located in different cities and mainly in Army facilities such as the one in Ablah-Bekaa, two in the Military Police centers in Kfarshima and Sin-El-Feel and one is the Oberly center in Keserouan.

Detainees at these centers are subject to physical and psychological torture during interrogation. In the year 2000, three members of the South Lebanese Army (SLA) died in custody as a result of torture and lack of medical attention:

- On July 2000, the diabetic 72 year-old Gerges Saiid died due to ill treatment and lack of medical care. Prison authorities confiscated medication from Saiid on the pretext of it having been manufactured in Israel.

- On November 29, 2000, the 45 year-old Barakat Al-Ameel died of high blood pressure, as Military General Prosecutor Nasri Lahoud claimed, after being interrogated with for four days.

- On December 4, 2000, Abd-El-Mounem Karoot died of heart failure at the Roumieh high-security jail even before being questioned.

Despite the physical evidence of torture on the bodies of the victims, the government rushed into closing the files and prohibited lawyers from further questioning or challenging the medical examiner's report.

Furthermore, the accused is subject to great humiliation and the Lebanese law concerning the rights of the accused is often violated. The Universal Declaration of Human Rights clearly states in Article 11 section 1 "Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence". Though the Lebanese Law subscribes to this declaration, the justice system often practices the opposite. The accused is guilty until proven innocent and upon detention, is defamed in the media and public opinion before he/she is proven guilty in a court of law.

In addition, the Lebanese Authorities do not respect nor comply with the law as to the detention period not exceeding 24 hours, renewable only once by the State Prosecutor. The law also provides for the defense lawyer be present during interrogation by the Judicial Police, yet, this right is often denied.

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C- Arbitrary Arrests, Detention and the Freedom of Assembly and Protests

Since 1991 the number of people detained or subpoenaed has approached 15,000 citizens belonging to opposition groups such as students, trade unions, journalists, human rights activists and members of political parties such as the Lebanese Forces Party and the Free National Current (FNC), loyal to General Michel Aoun[3].

In September 2000, The Committee for Public Freedoms and Human Rights, a branch of the Lebanese Lawyers' Union, condemned the appalling infringements on the Lebanese constitution and the severe breaching of common laws and legal procedures that accompany the arrests and detainment of citizens for lengthy periods of time. Furthermore, it condemned the mistreatment of detainees especially the violent beatings, insults and forceful signing of affidavits stating they would abstain from any future political activities. The Committee also pointed out that house raids conducted by security forces in broad daylight and in the middle of the night, which terrorized the inhabitants of these homes, are illegal because of the absence of search or arrest warrants

Sources from the Security Forces claimed that these activities are very well within the framework of their responsibilities and supported by the law despite the provisions of the Lebanese law pertaining to these procedures.

Despite the government's claim that freedom is widely practiced, the year 2000 witnessed a large scale of arbitrary arrests and infringement on freedom of assembly:

- In January 2000, following the attack by Muslim Fundamentalists on innocent civilians in the area of Dinnieh in North Lebanon and after a clash with the Lebanese Army, the Lebanese Security Forces executed a series of house raids in the city of Tripoli and its suburbs, which led to the arrests of innocent people who were not involved in the incident. Those arrested were beaten, tortured and later found innocent such as Khaled Ahmad Zaaroor, Aamer Moustafa Kaddoor, Mohammad AbdulKareem KhaZondar, Khaled Mouhammad Hasan Abdul-Kader, Said Muhyi-El-Deen Al-labibidi and Khaldoon Fouad Minawi.

- On February 17, 2000, the Government prohibited the organization SOLIDE (Support for Lebanese in Detention and Exile) from holding a lecture on Lebanese detainees in Syrian prisons, scheduled to take place in the convention hall at the La Sagesse University in Ashrafieh.

- On March 17, 2000 demonstrators against the deportation of four Japanese nationals (members of the Red Army wanted by the Japanese Government on terrorism charges) were viciously beaten with rifles and batons, which led to ten casualties among them were Hadi Bekdash and Ahmad Alameh.

- On May 15, 2000, Internal Security Forces raided the buildings of the "Saint Joseph University" and arrested 24 students who took part in a demonstration against the Syrian military presence in Lebanon. Afterwards, four other students from different universities were arrested and transported to the Military Police center in Sin El-Feel

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[3] General Michel Aoun was selected as the head of the provisional government in Lebanon after the parliament failed to elect a president in 1988. On October 13, 1990 Syrian forces raided the Presidential Palace and General Aoun fled to the French Embassy and later was exiled to France.

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and to the Internal Security Police headquarters in Beirut. Three of those students are Raymond Hayek, Patrick Khoury and Ziyad Abs.

- On May 16, 2000 the 70-year-old citizen Boutros Njeim was arrested and transported to the Ministry of Defense in Yarze on charges of collaboration with Israel simply because he worked as a cook for the SLA (South Lebanese Army)

- From April 13 to 19, 2000, members of the Free National Current were subjected to a campaign of arrests and detention. On April 13, Mark Shukair and Naim Semainy, were detained. On April 14, the government banned a gathering by lawyers at the hotel Alexander in Ashrafieh. On April 15, the government banned a dinner gala for the members of FNC at the restaurant Arabi in AL-Hazemieh. On April 16, 2000, Maroon Nasrani was arrested and the house of Hikmat Deeb was surrounded and raided, both are engineers. On April 17 and 18, the government curbed two demonstrations by students injuring 13; among them were Tony Ateek, Tony Oryan, Patrick Semaha and Naim Aoun. Some students were detained; among them Rabi Malooly, Paul Basil and Wilianon El-Meer. Other students were convicted at the Military Court for distribution of leaflets, which demanded the Syrian forces withdrawal from Lebanon. On April 19, students John Paul Deeb and Suleiman Bsoumaye were also arrested.

- On July 8 and 9, 2000 five students belonging to FNC were arrested after they attempted to sell Lebanese agricultural products at a low price as a protest against the flooding of the Lebanese market with Syrian fruits and vegetables. One of the customers was also arrested.

- On July 27 2000, Yousef Eid from Besherre and Victor Jaarah from Jubeil, both residents of Jounieh, were arrested for distributing leaflets calling for the boycott of parliamentary elections and for the restoration of Lebanese sovereignty.

- In July 2000, Mouhammad Mahmood Hussein complained to the Military Court that he was tortured, beaten and mounted on a torture device known as "Balanco"[4] many times during the preliminary interrogation after he was charged with forging of Customs receipts.

- On August 3 and 4, 2000, Security Forces surrounded a university youth camp organized by the Free National Current (FNC) in the town of Bijje in Jubeil casa and arrested Alexi AbdulKareem, Akl Hayek and Jawad Abi Akl in addition to the mayor of the town Tannous El-Khoury.

- Since September 14, 2000 the government launched a campaign of arrests against members of the Lebanese Forces Party in different areas of Lebanon. This was in retaliation for the heavy participation of thousands of Lebanese Forces members in the two memorial church masses, one was held on September 14, 2000 and was dedicated to the memory of the late Lebanese President Bashir Gemayel[5], and the second was held on September 17, 2000 and was dedicated to the memory of the martyrs of the Lebanese Forces Party. The Lebanese Security Forces erected roadblocks to prevent participants from reaching the church in Mayfouk village in North of Lebanon causing a traffic

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[4] The Balanco is a torture device whereby the victim is suspended by the wrists behind his back using a cord drawn up on a pulley. The weight of the body is supported by the shoulders. The victim feels a very sharp pain accompanied by twinges and after three minutes he loses consciousness. The victim is immediately revived by traction of the legs.
[5] President Bachir Gemayel founded the Lebanese Forces. He was assassinated on September 14, 1982.

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whereby people were stuck in their cars for over 7 hours. The campaign of arrests, which followed the mass, was executed at night using civilian-armed elements who raided the homes and destroyed furniture and other household items after they arrested the occupants, usually students, common employees and family bread winners and led them in a very insulting manner blindfolded to the interrogation centers in Tripoli, Zahle, Deir Al-Ahmar, Jubeil, Hadath El-Jebbe, Yarze, Sarba, Zalka, Ashrafieh and Ein El-Roummaneh. Some of those detained were: Shadi Aoun, Emile Mokarzel, Fadi Shamati, Simon Sarkis, Salman Semaha, Joseph Rahme, Tony Kairouz, Sharbel Taouk, Milad Taouk, Sharbel Imad, Ghandi Rahme, Milad Assaf, Raymond Sukkar, Nabil AbouShakra, Fadi Sayegh, Tony Sayegh, Vincent Sebo, Michelle Sebo, Fares Traboulsi, Rafael Abbood, Dany Mizher, Jawad Daou, Tony Salmoon, Wael Nahhas, Elie Abdoo, Pierre Kareem, Eddy Abi-El-Lamaa, Pierre Adam, Simeon Fyad, Elie Tratneek, Ghassan Azooz, Sharbel Eid, Tanious Eid, Joseph Ishak, Daniel BouShaheen, George Zeyna, Nabil Geagea, Emile Shibly, Marwan Moubarak, Paul EL-Shaer, Carlos Ishak, Saliba Sakr, Farah Hadshity, Tony Said Taouk, Ghazi Geagea, Pierre Boulos, Tony Mereab, Laba Mereab, Tony Gebara, Yousef Deeb, Lebal Said, Elie Tooma, Showki Karam, Paul Sfeir, Sobhi Andari, Faridi Kairouz, Sharbel Zeyna Rahme, Sharbel Boulos, Sharbelk Nakhoul, Fadi Abdul-Sater, Nidal Maroon, Suleiman EL-Shidyak, Tony Hany, Tony El-Meer, Tony Koubaiter, George Deeb Geagea, Sarkis Sakr, Zyad Khouri, Boulos Nooh, Raymond El-Wadi, Sarkis El-Hashim, Michelle Fares, Boutros Boutros, Joseph Abdo, George El-Alam, Beshara Taouk and Ramzi Andari.

- In October 2000, tens of arrests took place in the city of Zahle, targeting members of the Lebanese Forces Party and the Lebanese Kataeb Party.

- On October 11, 2000, The Security Forces subpoenaed Saleem Aoun, an Engineer living in Zahleh and belonging to the FNC.

- On October 13, 2000, elements of Security Forces entered the church of Saint George in Ghalboon interrupting the celebration of the mass and escorted out the student Hanna Shaheen who belongs to the FNC. On the same day, the Security Forces arrested Michael Harb and Jad Hitti who were on their way to church to Saint Elias church in Antelias.

- On October 18, 2000 elements of the Syrian Intelligence apparatus illegally arrested the Lebanese citizen George Koudees in Tripoli.

- On November 6, 2000, elements of the Syrian Intelligence apparatus arrested the two brothers Omar and Samer Massood at their home in the town of Aandalakt and escorted them to the Halba headquarters where they were beaten viciously and insulted.

- On November 6, 2000, the government banned a dinner organized by members of the FNC at the Al-Karmeh restaurant in Dahr El-Wahsh.

- On November 20, 2000, John Hanna, Jimmy Jabbour, Joseph Jabbour, Alexi Eskander and Tony BouAssi, residents of Akkar were escorted to the Syrian Intelligence headquarters.

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D- Detainees in Israeli And Syrian Prisons:

After the withdrawal of the Israeli Forces from Lebanon in May 2000, many Lebanese detainees were set free from the Khiam Prison and some Lebanese detainees remained in other Israeli prisons distributed as follows: 8 in Nafha Prison, 2 in Ashmort Prison, 2 in Askalan Prison, 2 in Sarafand Prison, and one in Shatta Prison.

There exist other prisoners whose whereabouts are unknown while information is available about few other prisoners who were released but decided not to return to Lebanon.

In September 2000, the Syrian authorities released 54 detainees from its prisons: 47 Lebanese, 6 Palestinians, and 1 Egyptian.

Both the Lebanese and Syrian authorities insisted that no more Lebanese are detained in Syrian jails. An outcry from the families led to Syria admitting that it still has in its custody 95 Lebanese nationals sentenced to jail for committing non political crimes in Syria. However, the list they submitted did not include the names of those who are visited on regular basis by their families nor those known to be held in Syrian jails. Of those are: George Shlaweet (Lebanese Forces), Tony Tamer, Samir Hajj and Boutros Khawand (Lebanese Kataeb), and Fouad Khouri, Najib Germani, Rashid Hosn, Abdullah Shehade, Bassam Semaan, Redwan Yaseen, Yousef Semaan. Furthermore, the following Lebanese Army soldiers are still in Syrian custody, Johnny Naseef, Marwan Zoghby, Michael Hasbany, Joseph Azar, sergeant Elie Saad Hadad, corporal Elia Yousef Aoun and Jihad George Eid[6].

E- Prisoner of Conscience, Dr. Samir Geagea.

April 27, 2000 marked the 6th anniversary of the imprisonment of Dr. Samir Geagea, leader of the Lebanese Forces Party. Despite the General Amnesty Law applied to crimes committed during the war and provided by the Taef Agreement[7], Dr. Geagea was subjected to a series of trials in which he was given death sentences commuted to life in prison with hard labor[8]. The General Amnesty Law has several loopholes, which allowed the government to use it as a political tool against the opposition. War crimes shall be pardoned under this law except those turned over to the Judicial Council. This provision discriminates between victims and renders people unequal in the eyes of the law. This same provision was used to prosecute Dr. Geagea after twice refusing to accept a Ministerial Position. Human Rights organizations deemed the trials unfair and claimed they fell below the international fair trial minimum standards. Testimonies upon which judges relied to rule in those cases were extracted under duress and despite the fact that witnesses later recanted their testimonies and declared that they were forced to testify, the judgments against Dr. Geagea stood. It is to note that these rulings are final and not subject to appeal.

[6] The list of names is larger and provided by SOLIDE (Support for Lebanese in Detention and Exile). Those we indicated are the ones whose families have evidences of their whereabouts. Please refer to a separate report that we prepared and solely devoted to the issue of Lebanese detainees in Syrian prisons

[7] The Taef agreement to end the war in Lebanon was sponsored by the Arab League and endorsed by the United States. It was named after the city in Saudi Arabia in which the meeting was held for the signing of the agreement.

[8] The General Amnesty Law provides for a total amnesty except when a crime is committed after the Taef Agreement was in effect. Dr. Geagea was accused of bombing Saidit al Najat Church in the Eastern part of Beirut and found innocent, however, his war file was opened. No further investigation was conducted into the identity of the real perpetrators.

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Since he was first incarcerated till today, he is kept in solitary confinement in a cell three stories underground in the Ministry of Defense jail. The cell is poorly ventilated and deprived from sunlight. Dr. Geagea suffered several health set backs especially from humidity and was hospitalized on several occasions. He is denied any connection with the outside world except short visits from his wife, parents and lawyers. Those visits are usually monitored and censored and do not extend beyond twenty minutes. Jail officials do not abide by court orders and shorten his visits with his wife and parents to a quarter of an hour instead of a half-hour on Tuesdays and to twenty minutes instead of an hour on Thursdays. When led out of his cell, he is blindfolded and his hands are shackled. His lawyers noticed some bruises on his face and were told that while blindfolded, sometimes he is led into hitting sharp objects or falling down on the stairs. Dr. Geagea rarely complains to his family or lawyers for fear they would worry about him. Despite the right he is given to a one-hour walk in the jail yard everyday, this right is often denied and without prior notice. His cell is often raided at night and wildly searched leaving the little he possesses broken and torn apart.

Lebanese Authorities claim that his solitary imprisonment is for his own protection while no attempts were made to improve his cell situation. He has lost a lot of weight and his family expressed a great concern for his health.

He is prohibited from discussing any political issues with his family or lawyers and denied access to political publications and media. When his lawyers drafted a proposed amnesty law, prison officials refused to allow him to discuss or review the proposal before submission.

In the year 2000, Dr. Geagea was not on trial for any cases, however, threats and insinuations were made that more alleged cases will be opened against him and the Lebanese Forces Party in the event that either raised any objections.

F- The Situation in South Lebanon.

After Israel withdrew from South Lebanon in May 2000, armed militias, mainly Hizballah, took control of the area due to the refusal of the Lebanese Government to deploy its Army. Several incidents were recorded as a result of this security vacuum:

- Hizballah militia arrested and detained two members of the South Lebanon Army (SLA)9, they later delivered them to the Lebanese authorities.
- 20 people were kidnapped from the southern village of Aitaroon on the night of June 6 and 7, 2000 by armed elements of Hizballah.
- Several SLA members were subject to severe beating and attempted murder upon their return to their homes after being released by the Lebanese authorities.
- On October 5, 2000, armed elements from Hizballah attempted to forcefully shut down "Saint Joseph" school which is administered by nuns of the "Two Holy Hearts" order in Ain-Ebel (Bint Jbeil) in protest of an agreement reached two years prior between the school's administration and the parents of 8 Muslim female students which dictates that Muslim girls would remove the veil when they enter the school's campus.

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[9] SLA members were accused of collaborating with Israel. After Israel withdrew from Lebanon, a large number of the SLA fled to Israel and the rest surrendered to the Lebanese authorities who were put through quick trials and jailed and fined.

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G- Religious Freedoms.

The year 2000 witnessed a resurgence of Muslim Fundamentalism, which caused the record for religious freedom to further plummet:

- On January 2, 2000 the body of the 60-year-old sister Antoinette Zaydan from the Antonine Order was discovered by the road leading to the city of Hadath. The medical examiner's report indicated that she was tortured and sexually assaulted before she was strangled. On her chest, a mark of the cross was carved with a knife. No investigation was conducted into the killing.

- On April 13, 2000 (Good Friday) in the area of Furn-El_Shubbak/Ain El-Roummaneh during the holy cross procession, few Muslim Shiite males interrupted the procession, insulted the sanctity of the Christian faith and physically assaulted participants in the procession.

- On July 29, 2000 a high voltage pole was erected at the entrance of the "Our Lady Of Habeel" church in Jbeil despite the vast and empty lands surrounding the church. The pole made it impossible for people to gather after church and disrupted all religious activities.

- The assaults and detonation of explosives continued in year 2000 on stores owned especially by Christians, which sell alcoholic beverages in East Sidon (South Lebanon).

H- Wiretapping and Surveillance:

The right to privacy was severely breached when the Lebanese Parliament passed a law legalizing eavesdropping on the grounds that it safeguards national security, despite the protests of lawmakers and Human Rights activists. Eavesdropping is not only used to monitor people suspected of illegal activities but also to monitor personal phone calls, commercial and financial spying in the hopes of using the acquired information for political arm-twisting and blackmail.

Part 2: Political And Legal Rights

1- The Parliamentary Elections

The parliamentary elections for the year 2000, much like those held in 1992 and 1996, registered a lack of democratic means, human rights respect and legitimate representation, all essential factors for a fair election. The Lebanese Regime under Syrian supervision focused on two main strategies in order to yield the results they expect. Those two strategies are:

- The amendment of the election law on December 14, 1999 resulted in false representation of Christians and Muslims in a country, which depends on a delicate formula of power distribution between the major religions. This law redistributed electoral districts to ensure a dilution of one sect by another in electing its representative.

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- The structuring of lists of candidates by Syrian intelligence apparatus, which operates freely in Lebanon. Those loyal to Syria were forced unto the lists and dissidents were removed, by force or by direct threats.

The election law, fully detailed in our 1999 yearly report for Human Rights, is not the only factor that tarnished the election results but there existed other gaps and irregularities that we have to discuss in more detail:

2- Pre-Election Forgery:

A- Gerrymandering: The redistribution of electoral districts in the year 2000 elections provided for an unfair representation of religious sects. Unlike elections held prior to 197510 whereby casas (Kada'a) were used as a voting unit, districts were merged to dilute the voting power of one sect over the other thus bringing to power a representative of a certain sect with the votes of another sect. For example, Christian voters in the casa of Jezzine (a majority Christian village in South Lebanon joined by the new election law to Nabatieh district, a majority Muslim Shiite) elected their representative with Muslim Shiite votes. Similarly, in the district of Beirut (divided into three electoral voting districts under the new law) an Armenian representative was elected with Muslim Sunni votes and not with Armenian votes

B- Names of deceased were not removed from Electoral lists.

C- Formation of Electoral Lists:

- Removal of opposing Candidates: Rabih Kayrouz, the Christian Maronite candidate for Baalbak District was removed from Hizbollah coalition list after entering the race and was replaced by the Christian Maronite candidate Nader Sikkar, after the latter received assurances from General Ghazi Kenaan, the commander of the Syrian intelligence apparatus in Lebanon that pressure will be exerted on Hizbollah to include him. Nader Sikkar won the parliamentary seat for the Baalbak-Northern Bekaa district even though he is not a native resident of Bekaa but of a region North of Lebanon.

Similarly, Hussein Yatim, the Muslim Shiite Candidate and a member of Amal Movement, was removed from the Prime Minister Rafik Hariri's coalition list in Beirut District and replaced by Nasser Kandil, Muslim Shiite Candidate known for his close ties with the Syrian Intelligence Services in Beirut.

- Forced Votes: The Lebanese and Syrian Intelligence Services called upon mayors and demanded they provide a certain number of votes in their towns to loyal candidates. Some mayors testified to this fact.

- The unfair and unequal use of Media: The media was not available to all Candidates equally, especially the official Government media which was exclusively used by Government Candidates.

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- Money and Election fees: Rich Candidates won the elections by spending millions to buy votes, taking advantage of high unemployment rates and rampant poverty.

[10] No elections occurred after the election of 1972 until 1992

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- Illegal use of public funds: Government Candidates used Government resources, services and taxpayer's money to run their campaign. A prime example was the Minister of Interior, at the time, Michel Murr who forcefully enlisted the resources human and others of his ministry in the service of his election campaign in the Northern Metn district.

- The use and misuse of voting cards: The voting lists contain the names of all eligible voters[11], but only those possessing voting cards (issued recently by the Government) can actually vote. However, every Candidate had the list of names and was able to issue a voting card at the last minute and after the deadline to those who promised him/her the vote under the guise that they were replacements for lost cards.

- Violating voters privacy: Some of the candidates with government connections were able to obtain the sealed envelopes with voters' ballots.

3- Forgery during casting of ballots:

- Violations in the forming of the committees to monitor the election procedures.

- Violations in the utilization of the private voting booths at most voting districts such as in North and South Lebanon and in the Bekaa.

- The presence of unofficial and unauthorized personnel at voting centers such as in Burj Hammoud, South Lebanon and the district of Baalbeck-Hermal.

- The discriminatory appointment of the directors of voting centers and commanders of security personnel responsible for protecting the centers.

- The mobilizing of security forces such as Army Intelligence, Internal Security and State Security to circulate instructions to every single army personnel in every branch, brigade or division, to take his/her family and immediate relatives and vote for the government designated candidates.

- Prohibiting the representatives of certain candidates to be present at voting centers and preventing them from monitoring the elections. Examples are Candidates representatives Rafi Madayan from Burj Hammoud and Habib Sadek from South Lebanon.

- Some candidates confiscated the voting cards of recently naturalized citizens and held on to them until Election Day.

4- Forgery during counting of ballots and declaring the results

- The absence of authentication measures for valid and non-valid ballots.

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- Deliberate and intentional miscounting of the ballots.

- Manipulation of ballot count before monitoring committee.

[11] Legal age for voting is 21. In Lebanon women are allowed to vote.

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- Infringement on some candidates' right to monitor the progression of the election.
- Violation in the legal procedures followed for preparing the final results and sealing them.
- The manipulation of the ballots during the transportation of the election boxes containing the ballots.
- Some candidates were instrumental in assigning the appropriate directors for voting centers.

In addition to the above-mentioned illegalities, there were some recorded incidents of assault on some candidates whose political agenda opposed the views of the government and Syria. Such as the incident of General Paul Fares who ran on an election platform, which advocated a Syrian withdrawal from Lebanon. His cousin and his driver were arrested and his daughters were threatened.

5- The Judicial System:

The Universal Declaration of Human Rights provides guidelines for proper judicial procedures, which preserve the dignity and the rights of those accused. The declaration clearly states that all people are equal before the law and are entitled without any discrimination to equal protection of the law (section 7) and everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal (section 10). Amendment (B) deals with equal civil and political rights in a court of law and fair and public proceedings by a specialized, independent and unbiased court according to the law (section 14, paragraph 1). According to the law (section 14, paragraph 5), every convicted person has the right to appeal the court's verdict and the sentence to a higher court.

The Judicial System in Lebanon in the recent years stood in defiance of the above-mentioned law and of the Lebanese Constitution, which provides for an independent Judiciary. The following is a demonstration on how the courts are used as political tools for revenge in Lebanon:

A- The Judicial Council

The Judicial Council renders final judgments not subject to appeal. Cases turned for trial in this court require a decree from the Council of Ministers and upon the recommendation of the Minister of Justice. The decision deeming cases necessary to be tried before the Judicial Council, remains at the Cabinet's discretion and cannot be contested before the State Council. The Examining Magistrate, who decides whether a case should be turned to the Judicial Council for trial and recommends it to the Cabinet, is appointed by the Minister of Justice, thus allowing for political manipulation. Citizens tried before the Judicial Council are robbed of their rights to present their cases in criminal courts and the chance to go before the cassation court for appeal.

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B- Military courts

The Lebanese legal system provides the Military Court, served by Military and Magistrate Judges, with cases involving military personnel and Military related matters.

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However, in the recent years, the Military Courts substituted the regular criminal and civil courts and handled almost all cases for trial. In April, eight students were sentenced in the Military Court for a period ranging from 15 days to 4 weeks for partaking in a demonstration against Syrian Military Presence in Lebanon.

In the past year alone, the Military Court handled the cases of over 3,000 members of the "South Lebanon Army" who voluntarily surrendered themselves to the Lebanese authorities and were charged with collaboration with Israel. These cases were processed with great disregard and lack of attention to legal rights and due process. The following are examples of these infringements:

- The Military court proceedings, presided over by four judges (Army Officers), were short, hurried and summarized. The judges processed about 100 cases daily and delivered verdicts on all of them by the end of the same workday.

- The Military Court continuously refused to hear witnesses and postponed their testimony until time ran out. Later, it became a practice to disregard those witnesses using lack of time as an excuse.

- The longest recorded defense plead during these proceedings was eight minutes. Pleads, when granted, did not handle evidence but consisted of an appeal to the court for leniency. Defense lawyers were assigned to the cases 24 hours prior to court proceedings.

C- The Executive Branch Interferes with the Judiciary

The Lebanese Constitution provides for an Independent Judicial System, however in the last ten years, the Judiciary became subject to political manipulation and a tool in the hands of the Executive Branch. The following are some examples:

- Interference in the judicial appointments: On July, 2000 Judge John Fahd, known to have close ties with then Minister of Interior Michel Murr, was appointed General Prosecutor for the Court of Appeal in Mount Lebanon District as a successor to Judge Ghaleb Ghanem who in turn was promoted as the head of State Council. This appointment was fiercely resisted by the Supreme Justice Council who voted for the position Judge Jihad El-Wadi, Appellate General Counselor but the government decision stood.

- Government Official rules in judicial cases: The appointment of Judge Saleem EL-Laziki as an Executive Director at the Ministry of Justice changed his status to a civilian. However, the decree issued for his appointment, article 2, states: "Judge Saleem El-Laziki is hereby entrusted to issue rulings in cases concluded previously by the Courts."

- On October 26, 2000, Fouad Saniora was appointed as Minister of Finance, 24 hours before the Court of Cassation had to render a verdict in his case. Mr. Saniora was charged with fraud and mishandling of public funds, and signing an agreement with the Italian government leaving the Lebanese Government with the financial responsibility.

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Lebanon, the cradle of democracy in the Middle East and the guardian of freedom, is on a down spiral. The more these practices are not condemned, the more the government is encouraged to adopt them and the more the Lebanese people find themselves obliged to seek refuge around the world.

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