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LEBANON: TORTURE ALLEGATIONS IN WAKE OF SIDON ARMED CLASHES

“The officer told me I must confess... He then asked me questions: ‘Did you fill up sand bags?... Did you carry arms?...’ Every time I said no, a soldier standing behind me would hit me with a belt on my back.”

A child, aged 15, recounting his experience in army detention.

Information researched by Amnesty International indicates that the death in custody at end of June of Nader al-Bayoumi, a 35-year-old man detained by the Lebanese army following armed clashes between the military and followers of Sunni Muslim cleric Sheikh Ahmed al-Asseer in the southern city of Sidon, resulted from torture. The case appears to fit into a broader set of allegations of torture and other ill-treatment against some of the dozens detained by the Lebanese army, including Army Intelligence, following the clashes.

Amnesty International has reviewed images of the body of Nader al-Bayoumi, who was arrested on 24 June and returned dead to his family on 27 June, and noted signs of horrific abuse. A forensic pathologist who reviewed the images concluded that the bruising on the body was consistent with assault and suggested internal haemorrhage was a possible cause of death.

Amnesty International has spoken to three released detainees, including a 15-year-old child, who said they were subjected to torture and other ill-treatment and not allowed to contact their families or a lawyer during their detention. Two of the released detainees, including the child, said they were forced to sign documents they were not allowed to read. All three said they witnessed other detainees being subjected to torture or other ill treatment, indicating that their experiences were not isolated incidents.

Amnesty International has also reviewed videos that were circulated on social media showing two separate incidents of soldiers beating up a detainee.

The Lebanese authorities must ensure that full, independent and impartial investigations are opened immediately into both the death in custody of Nader al-Bayoumi and the other allegations of torture and other ill-treatment. Wherever sufficient admissible evidence is uncovered, those suspected of responsibility should be brought to justice in proceedings which meet international standards of fairness and without recourse to the death penalty.

Amnesty International is concerned for detainees still held by the Lebanese army, including Army Intelligence, who it believes are at risk of torture or other ill-treatment.

The Lebanese authorities must take immediate steps to prevent any further acts of torture or other ill-treatment at detention facilities run by the Lebanese army, including Army Intelligence. Detainees must be granted access to their families and lawyers of their own choosing and provided with any medical attention they may require. Detainees should be released or charged without delay with internationally recognizable offences and tried promptly in accordance with international fair trial standards in civilian courts. Statements extracted under torture or other ill-treatment must not be used as evidence against them.

Sidon clashes

The clashes between the Lebanese army and armed supporters of Sheikh Ahmed al-Asseer began on 23 June 2013, reportedly after the latter attacked an army checkpoint in response to the arrest of one of the cleric's supporters. The clashes lasted for two days and took place in 'Abra, a district in the east of the southern city of Sidon. On 24 June 2013, the Lebanese army took control of al-Asseer's main base in 'Abra, the Bilal bin Rabah mosque complex, where he and supporters of his, many of them armed, were holed up.

The clashes are reported to have resulted in the deaths of 18 army personnel and 28 supporters of al-Asseer, who has come to prominence for his vocal support of the Syrian armed opposition and for his campaigning against the Lebanese armed group Hizbullah. The Sidon clashes are seen by many as a spillover of the armed conflict in Syria, which has exacerbated already existing tensions between the main two political camps in Lebanon, the March 14 Alliance, which is opposed to Syrian President Bashar al-Assad, and the March 8 Alliance, which supports the Syrian President and includes Hizbullah.

Lebanese media reported on 4 July 2013¹ that Military Prosecutor Judge Saqr Saqr has charged 27 detainees held in relation to the Sidon clashes and another 10 individuals who remain at large – including al-Asseer – of forming an armed group with the purpose of carrying out crime against people and their property, undermining state authority and harming the image of the state.

Death in custody of Nader al-Bayoumi

Nader al-Bayoumi, born in Lebanon to a Palestinian father and a Lebanese mother, was in 'Abra during the clashes with the Lebanese army. According to his family, who spoke to Amnesty International, he was stuck there when the fighting erupted.

The family has told Amnesty International that the last time they heard from him was just after 14:00 on 24 June 2013 when he called his wife to tell her he was fine and that he was going to leave the area.² A family member said that his brother called Nader al-Bayoumi's mobile phone just before 14:30,

but that an unidentified man answered and asked about the identity of the caller, among other questions, leading the family to suspect that he had been arrested.

It is believed that Nader al-Bayoumi was arrested by soldiers. His family told Amnesty International that they received information from informal channels that their son was at one point held at the Mohammed Zgheib military base, the South Lebanon regional military command, in Sidon.

The day after his arrest, the family heard from acquaintances that their son had died. On the evening of 26 June, Nader al-Bayoumi's family received a phone call telling them to bring an ambulance to the Central Military Hospital in Beirut and collect his body the following morning. At the military hospital on 27 June 2013, the father was shown Nader al-Bayoumi's face to identify him and he was admonished by an officer responsible for handing him over the body saying: "You should have raised him properly so that he wouldn't have fought the army."

The military hospital has not given the family any written notification of Nader al-Bayoumi's death or any medical explanation of the cause of death, the family told Amnesty International. Also, a forensic pathologist commissioned by the family to examine their son's body refused to give them a medical report of his conclusions out of fear of persecution, they said.

A Europe-based forensic pathologist who reviewed seven images of Nader al-Bayoumi's corpse for Amnesty International concluded that the pattern of bruising on the body was consistent with assault and that internal haemorrhage may have been the cause of death..

In a written statement to Amnesty International, the forensic pathologist provided detailed conclusions:

"The photographs show fresh bruising to the body involving the bridge of the nose, left eye, left side of the face, right side of the jaw, right shoulder, upper arm and elbow, left upper arm, right hip, left side of the abdomen, the back, right shin and left knee. Bruising to the abdomen is particularly extensive. The bruises vary in size and shape but some are linear. Associated with some of the prominent bruises are grazes to the skin. Overall the pattern of bruising is assaultive and could not be explained by a simple fall or a series of falls. The pattern could not be explained by a road traffic accident or similar accident. The bruises are of a similar age suggesting that they were inflicted around the same time. Post-mortem staining of the back of the body by the gravitational pooling of blood is relatively scant which raises the possibility that death may have been the result of internal haemorrhage, most likely from the abdominal injury."

Media reports have quoted senior military sources as saying three forensic pathologists had examined Nader al-Bayoumi's body and that they found he

had been subjected to beatings but that there were no signs of “torture”. However, they have not clarified how the pathologists reached their conclusions, whether they conducted an autopsy and whether they were individuals reporting to the military.

Furthermore, the statement reflects a lack of understanding of the definition of torture. The severe beating in custody to which Nader al-Bayoumi appears to have been subjected would in fact constitute torture and the state has a legal obligation to treat it as such.

Amnesty International urges the Lebanese authorities to conduct a full, independent and impartial investigation into Nader al-Bayoumi’s death, in compliance with the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, which sets out standards for investigation of all suspected cases of killings, including cases of deaths in custody where complaints by relatives or other reliable reports give reason to suspect the death was not natural.

According to these Principles, the investigation must include an adequate autopsy, collection and analysis of all physical and documentary evidence and statements from witnesses. The family of the deceased must be allowed to have a medical or other qualified representative present at the autopsy.

If the authorities have not conducted an autopsy, then it may be necessary to exhume the body for a proper determination of the cause of death and to ensure those responsible are brought to justice.

The Lebanese authorities must ensure that Nader al-Bayoumi’s family and eyewitnesses, including detainees who may have been held with him, are protected from violence, threats of violence and arrest, and any other form of intimidation or harassment.

Other allegations of torture and other ill-treatment

There are reports of torture and other ill-treatment being inflicted on some of the dozens of others who have been detained by the Lebanese army, including Army Intelligence, following last month’s armed clashes.

Amnesty International collected testimonies from three released detainees, including a 15-year-old child, who said they were subjected to torture and other ill-treatment at the hands of the Lebanese army, including Army Intelligence (see their testimonies below). Two of the released detainees, including the child, said they were forced to sign documents they were not allowed to read, but none of the three was brought before a judge or had charges brought against them.

Amnesty International also spoke to a doctor who examined a fourth released detainee, who was picked up at an army checkpoint on al-Awwali Road, just north of Sidon, and was taken to al-Rmeileh military base, north of Sidon.³ The

doctor said his examination concluded that one of the released detainee's ribs (the eighth rib on the right-hand side) had been fractured and that he had suffered "bilateral subconjunctival haematoma" (the bleeding of thin blood vessels in the whites of the eye).

All three released detainees who spoke to Amnesty International said they witnessed other detainees being subjected to torture or other ill treatment, indicating that their experiences were not isolated incidents.

Amnesty International has also reviewed two videos that were circulated on social media following the end of the clashes in Sidon and show footage of Lebanese soldiers abusing two men, suspected of being supporters of al-Asseer.

The first video, uploaded on YouTube on 26 June 2013, shows a man sitting on the ground and surrounded by soldiers as he was being questioned by what appeared to be an officer and others on his affiliation to al-Asseer.⁴ The man said he served as a guard at the Bilal bin Rabah Mosque, al-Asseer's main base in 'Abra. He was then hit and kicked on his back, head and body by several soldiers as he gathered himself into a foetal position.

On 27 June 2013, the Lebanese army issued a statement saying it would take "maximum disciplinary measures" against any soldier or military unit that had carried out a "security or ethical violation."⁵ Lebanese media also reported that the army said it had arrested those involved in the incident and had begun an investigation.

The second video emerged on 5 July 2013 showing a man lying on the ground face down with his hands tied behind his back as he was surrounded by soldiers.⁶ One soldier stepped on his head as another soldier whipped him repeatedly on his back with what appeared to be a plastic wire.

The Lebanese army issued another statement on 6 July 2013 saying it had arrested the soldiers in question and had begun conducting an investigation into the incident.⁷ It also said that it would take "the maximum behavioural and disciplinary penal measures" against the perpetrators.

The United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which Lebanon ratified in 2000, prohibits torture and other ill-treatment under all circumstances.

Article 9 of the International Covenant on Civil and Political Rights (ICCPR), to which Lebanon is also a state party, states that "anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him," and "shall be brought promptly before a judge or other officer authorized by law to exercise judicial power."

Three testimonies of torture and other ill-treatment

Below are extracts of the testimonies of the three released detainees interviewed by Amnesty International. Amnesty International is withholding the identities of the individuals at their request.

First testimony⁸

The first testimony is from a 15-year-old child who had left school and was working to support his family. He was arrested by the Lebanese army on 25 June and released two days later.

“I called my boss to see if I had to go to work, but he said that I didn’t have to because of the tense situation. So I went to visit my uncle in the Villat area [in south-eastern Sidon] and, to reach there, I had to walk past a Lebanese army checkpoint. A soldier there called out to me so I approached him, took out my ID and handed it to him. The soldier immediately handcuffed me, pulled up my shirt and covered my face with it and walked me to nearby offices belonging to the same checkpoint... There several soldiers started slapping me and kicking me.

“They then dragged me to the officer, who was sitting behind his desk. My eyes were uncovered at this point. The officer told me I must confess. He then asked me questions: ‘Did you fill up sandbags [for al-Asseer’s armed supporters]?... Did you carry arms?...’ Every time I said no, a soldier standing behind me would hit me with a belt on my back.

“The officer then started asking if I knew particular men. He mentioned many names, and every time I said I didn’t know the person, the soldier would hit me with the belt on my back... One of the names he mentioned was my uncle’s, so I told him he was my uncle. He asked me if he had any arms. I said, ‘I swear I don’t know,’ so the soldiers started beating me really hard. Then they took me away to another army position in al-Miyye-w-Miyye in Sidon and, while I was waiting outside the officer’s office, a few soldiers slapped me a few times only... - it wasn’t bad - and asked me if I’d killed soldiers. Then I met the officer and he asked a few questions about where I was during the clashes. I told him I was not even in ‘Abra [where the clashes had taken place] and I didn’t leave home... I told him he could ask my mother. He did not hit me.

“Then I was taken in a vehicle and a soldier kept lowering my head... When I once tried to raise my head, he slapped me on my head and called me an animal... They took me to the Mohammed Zgheib military base [South Lebanon regional military command].

“I stood there not knowing where I was at first... There were men wearing plain clothes. I asked another detainee standing next to me, ‘Where are we?’ He said we were at the Army Intelligence.

“They took me to an officer and there were two plain-clothed men standing behind me. The officer asked me questions like, ‘Did you shoot? Did you fill up sandbags and carry them [for al-Asseer’s armed supporters]?’ Every time I said no, the man behind me would hit me with a stick. At one point, the other man held an electric wire and started scaring me with it, threatening to give me electric shocks with it.

“From here, I stopped knowing what time it was or if it was day or night. I would try to hear the azan [call to prayer] to try to figure out the time but I couldn’t hear a thing; so I thought the mosques in Sidon had stopped calling for prayer.

“Then I was taken to the Ministry of Defence. While on my way in the vehicle, the Intelligence man asked me to open the window. I was handcuffed and was sitting uncomfortably so I raised my hands, but they came close to the door lock so he hit me hard on my head. It could not have been his hand... it was something really hard.

“At the Ministry of Defence, they asked the same questions. I said I didn’t do anything. So a man came in and took me downstairs to a cell. There, he gave me electric shocks three or four times. I’m too embarrassed to tell you where. [The boy’s mother had told Amnesty International prior to interviewing her son that he was given electric shocks in the genitals.] I was also given an electric shock in the leg.

“At one point, they placed me in a big tank full of dirty water until it covered all of me. So I started moving my feet to avoid reaching the bottom and drowning. They kept me in there for maybe 10 seconds, and as they dragged me out of the water, my foot was stuck at the edge of the tank and it swelled very badly. Then they started hitting me with a water hose.

“I was staying with others in the cell; they were all older than me. One of them was taken and was returned to the cell unconscious. They threw him on the floor; he was chubby. He fell on my feet, I was in a lot of pain. Also one time, the jailer struck my chest with a rifle butt.

“They brought us sandwiches of canned meat – it was so old and disgusting I couldn’t eat it. A jailer would come and ask me why I hadn’t eaten it. I would say I’d do so after a bit. He would slap me on my face and tell me to eat it. I was so disgusted by it that I threw it in the toilet and flushed it.

“Also, the toilet flush was leaking on the floor and wet our mattresses. They were stinking so we told one of the jailers. He brought us a piece of cloth and told us to put it around the toilet to absorb the leaking. But the water continued to leak into the room.

“At the end, I was taken to a room with my shirt covering my face. When I arrived there, they removed the shirt off my face and asked me to sign a

document. I wasn't allowed to read it but my eyes caught the words, 'sandbags' and 'al-Asseer'. So I refused to sign and I said: 'I didn't do this.' So they took me to another room, I was beaten up badly. There, I could hear the voice of another detainee repeating: 'Ah, I can't take it any more, ah, I can't take it any more.'

"Then my shirt was pulled up to cover my face and I was taken back to sign the document. The same man who asked me to sign the first time unlocked my handcuff, held my hand and wrote my name on the document... I was then released."

Second testimony⁹

The second testimony is from a 22-year-old man who was arrested on 26 June 2013 at a Lebanese army checkpoint in 'Alman and held for one and a half hours. He said he was arrested when travelling to Sidon in a van that was clearly marked with the name of the company he works for and contained at least another five employees and the driver.

"It was around 18:30 and we were stuck in traffic as we were returning from the office in Bchamoun, so the driver took an alternative route which runs along another road near 'Alman.

"The soldier asked that we open the van's door, and asked each male employee to hand him their IDs and mobile phones. The soldier walked towards an officer and other soldiers and then came back and asked me to get out of the van.

"The officer and soldiers started to hit me and then a plain-clothed man with a gun on his waist punched me and told me to sit on the ground. I did and he continued beating me up. I said, 'Don't hit me. I didn't do anything.' Then he beat me even harder, with slaps, punches and kicks.

"There were another three detainees sitting near me. A soldier approached us, loaded the rifle and said, 'If I hear anyone speaking, I will shoot him.' We were later joined by another detainee, a Palestinian.

"I then asked the soldiers to speak with my father to tell him that I had been arrested. They said, 'Your phone is with us and it's a phone that raises suspicions.' I said, 'What does that mean?' So, one soldier slapped me twice on the face.

"Then they threw me and the other detainees into a military Hummer. We were thrown on top of each other and I was at the top. The soldiers sat on us and started hitting us with heavy military shields as well as their hands until we reached al-Rmeileh military base.

"Every time I said 'Ya watan [an expression used when addressing soldiers], stop hitting me!', he would hit me harder.' At one point, he loaded the rifle

and threatened to shoot me if I raised my head. I would place my arm over my head to protect myself, but he would remove it.

“Throughout our journey from the checkpoint till we reached the military base, which lasted around 10 minutes, the soldiers accused us of supporting al-Asseer and of killing soldiers.

“We arrived at al-Rmeileh military base and we were dragged inside and covered our faces. They pushed us on top of each other on the first floor and took me for interrogation. They ordered me to kneel and tied my hands behind my back. I was not blindfolded, but they kept hitting me on my head to keep it down. Then they asked me to stand up and started hitting me here and there. Then one started asking me questions, including about the contents of my phone. They asked me about photos of damaged buildings and cars taken after the Sidon clashes; I told them that it was a What’s App news group and that I was a group member.

“He asked who had set up the group and I gave him the name of someone from [former Prime Minister Sa’ad al-Hariri’s] Future Movement. He said, ‘The Future Movement belongs to Ahmed al-Asseer.’ I said it did not. So he said, ‘Yes, it does,’ and hit me on my mouth. So I said that I did not know to avoid more beatings.

“Then they asked me to walk around 20 metres, ordered me to take off my shoes, shirt and trousers. I refused to take off my trousers. They asked me to sit on the floor, which I did. Then the plain-clothed man asked me to put my hands over my head and then he placed the shoes on my head. I stayed like this for two minutes and then a soldier said to me: ‘We are going to release you but you’ll have to delete the photos on your phone.’ And they gave me back the phone.

“On my way out, I saw a youth, who had no facial hair yet, being brought in as he was being hit on his neck.”

Third testimony¹⁰

The third testimony is from a 23-year-old man who recounted to Amnesty International his experiences during three days of detention by the Lebanese army.

“On Monday [24 June], I chatted with the soldiers near my home in the afternoon and offered them water. Then at night at around 20:00 in al-Villat area [southern Sidon], I went in my car to get dinner for my family and was stopped at al-Naba’a checkpoint.

“The soldier there asked for my ID and asked me to open the car boot. Another soldier came and spoke to him in a low voice. He then told me to park my car and to get out. He told me to put my hands on my head and walk in front of him.

"I walked to the officer's door and waited outside. While I was sitting, a soldier came and hit me on my hand at first. Then soldiers pulled up my shirt from the front and covered my face. As soon as I was taken to the officer's office, two soldiers hit me on the top of my stomach. I fell on the floor and couldn't breathe. Then they started beating me on my face and on my back, with slaps, fists, kicks on my back and my waist. Then a soldier, who was smoking, put his cigarette out on my lower back.

"The officer approached me, grabbed my hair and kicked me hard. My head fell to the ground face down, so he put his foot on my cheek and started squashing me hard (the other cheek was on the ground)... It was as if he was squashing a cigarette on the floor to put it out.

"Then the officer asked the soldier to start recording the minutes of the interview. He said: 'Write down: he threatened a soldier and told him: tonight I will show you what I will do.'

"I said: 'No, sir, this did not happen.' The officer told me to shut up and they all started hitting me.

"Then they handcuffed me and put me in a military vehicle and drove off. On the way, the soldiers started hitting my head with a rifle. We arrived at a military centre in al-Miyye-w-Miyye in Sidon and there I was ordered to sign a document, which I was not allowed to read. So I said, 'I don't want to sign something I did not do.' So the soldiers started beating me up. I had to sign otherwise they would have hit me again... Then they laid me on a wall and squeezed my head between the wall and a metal cupboard there, and they started pressing the cupboard against my head.

"Then I was taken to the Mohamed Zgheib military base. There, soldiers beat me up and interrogated me. They took me to the Army Intelligence section at the base. There I was hit with a rubbery thing hard on my neck and then I was locked in a small cell with around 30 detainees.

"Then I could hear in the distance the morning call to prayer. The Intelligence men took me from the cell, photographed me and started questioning me. The interrogator said: 'You threatened a soldier.' I said, 'It's not true. I offered the soldiers water and I even responded to their request to check for them if there were any fighters waiting to trap them at the entrance of [Ain al-Hilwe refugee] camp, which is near my home.'

"I slept there and then was taken along with other detainees to the Ministry of Defence in Beirut. There, I was beaten up badly. The other detainees and I would ask for water and they wouldn't give it to us. There were some nice soldiers who would give us water secretly. I was then asked to strip naked, including taking off my underwear, and I was ordered to face the wall and squat and then stand up [probably to search him].

“They then took a photo of me, took my fingerprints and gave me something to eat and drink while I was blindfolded. Later, they took me to an interrogator who asked me questions. He did not hit me. He asked how many times I took part in the protests called for by Sheikh Ahmed al-Asseer. I told him several times. He asked how many times I attended al-Asseer’s lectures. I said, ‘Only once’... He also asked me about names of people who fight for or are with al-Asseer.

“Then the soldiers took me to another room where they threatened to give me electric shocks, but they did not. I was then taken to another military position but I didn’t know what it was because I was blindfolded. Soldiers there hit me just a bit - only slaps on my neck. And I was released Thursday late afternoon.

“Throughout my three-day detention, I couldn’t pee properly. The jailers would say, ‘You only have 30 seconds,’ so I would get tense and afraid to wet myself if I was dragged out of the toilet.”

- ¹ <http://www.dailystar.com.lb/News/Politics/2013/Jul-04/222539-abra-suspects-handed-over-to-lebanon-prosecutor.ashx#axzz2YN9QEuzs>
- ² Phone interview with family members conducted by Amnesty International on 1 July 2013.
- ³ Phone interview with the doctor conducted by Amnesty International on 28 June 2013.
- ⁴ <http://www.youtube.com/watch?v=CB6nWb4i7IA>
- ⁵ http://www.lebarmy.gov.lb/ar/news/?35795#.UdmRS_lay8A
- ⁶ http://www.youtube.com/watch?v=f4c3-wwxnvo&feature=player_embedded
- ⁷ http://www.lebarmy.gov.lb/ar/news/?35882#.UdmRg_lay8A
- ⁸ Skype interview conducted by Amnesty International on 30 June 2013.
- ⁹ Skype interview conducted by Amnesty international on 28 June 2013.
- ¹⁰ Skype interview conducted by Amnesty International on 2 July 2013.