

A Report by the National Commission
On Detainees and Missing Persons
November 7, 2020 It covers the conditions
of Syrian prisoners In Roumieh



“Whenever a prisoner dies, they say: Next”
Patterns of trial, interrogation,
and arrest of Syrians in Lebanon

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In Roumieh / Covid-19 period**

Summary

The outbreak of Covid-19 in Roumieh prison drew attention to the need to investigate the conditions of Syrians in Lebanese prisons, and to reveal the scale of systematic and ongoing human rights violations committed against detainees during periods of summoning, interrogation, trial, arrest and imprisonment;

The Lebanese Hezbollah supported Bashar al-Assad in his war against the Syrian people, and participated with him in committing war crimes, genocide and crimes against humanity against the civilian people, and because of the bombing of Syrians' areas and the destruction of their homes, they wandered to escape with their children and women seeking safety in Lebanon; But far from human values and international agreements, the militias that dominate the Lebanese authorities have pursued them - outside the law - in their camps, trials, and prisons;

This report examines the conditions of Syrian detainees in Roumieh Prison during the outbreak of the Corona pandemic in September 2020, and sheds light on the poor health conditions that prisoners live, and the discriminatory measures followed in their treatment due to sectarian or geographical affiliation, or due to the background of political opinions and positions;

In many incidents, such as in Arsal, Syrian civilians, including women and children, were subjected to a policy of collective punishment, and these policies include most of the refugees for continuous periods in other regions;

As is the case with the Assad regime, the Lebanese authorities refer the arrested Syrians to military courts on charges of terrorism, even though they have not committed terrorist acts and are not affiliated with classified organizations;

In a fake propaganda, the Syrian prisoners are called Islamist detainees, only because they are Sunnis - as perceived by the detention authorities - and opponents of the Assad regime, who are subjected to unlawful detention, enforced disappearance, torture, ill-treatment, and unfair trials;

During the investigation or arrest, a number of detainees died as a result of torture or deliberate failure to provide human living conditions;

The Syrian detainees are in a critical health and humanitarian situation, and this ill treatment constitutes a gross violation of human rights, and they and their families must be viewed as victims, to save them, and to hold the perpetrators of the violations accountable;

The frequent testimonies of witnesses and victims confirms the widespread and repeated patterns of violations occurring; This means that they are systematic violations, given the absence of positive action by the Lebanese military and civilian leaders, to take the necessary measures to prevent their occurrence, or to stop them and hold those responsible accountable;

Letters received by the Lebanese government, announced statements, and published human rights and media reports confirm Lebanese government’s certain knowledge of these violations;



Through our extensive investigation, we have not shown positive action by the ruling judges and the prosecution to investigate cases of torture contained in the statements of the defendants; The Lebanese judiciary has neglected to consider allegations that the detainees were subjected to torture, and the perpetrators are still without punishment, and the victims without compensation; The structure of the Lebanese state on the basis of sectarian quotas was reflected on the performance of its institutions, and racial discrimination appeared in the treatment of Syrians in some of its institutions;

The report outlines the collective responsibility of the Lebanese state, and the individual criminal responsibility of some of its leaders for gross violations of human rights, which are described as crimes against humanity;



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Second – Mandate

1. The National Authority for Defense of Detainees and Missing Persons in accordance with its terms of reference set forth in its definition¹, and for its tasks emanating from the Syrian National Coalition, as the legitimate representative of the Syrian people², and as it is assigning tasks to its specialized team at the legal office of the Coalition in Syria³, and in cooperation with the Refugee Office⁴, it examined the case of Syrians detained in Roumieh prison, in accordance with its mandate over this case;
2. Based on the reports and appeals made by the Syrians to save them from death in Roumieh prison, whether intentionally or by

¹ The National Commission on Detainees and Missing Persons is a Syrian national body, established by a decision of the Coalition, and works independently to defend detainees and missing Syrians on all sides, and to represent them in international forums, using legitimate means with the aim of their release, and in order to work on their justice, and to hold the perpetrators of the violations accountable, and to combat arbitrary arrest, enforced disappearance, torture, liquidation and ill-treatment, and to work for the promotion and protection of human rights during habeas corpus, arrest, investigation, trial and imprisonment; It is considered the legal reference for the issue of the Syrian detainees; It was established in July 2018, and lawyer Yasser Al-Farhan was named its president;

² The Syrian National Coalition was established at the end of 2012 and has gained wide international recognition, as the legitimate representative of the Syrian people. The United Nations General Assembly indicated that in its Resolution 67/262. Headed now by Dr. Nasr Hariri, Syrian National Coalition has a number of institutions affiliated to it such as the Syrian Interim Government and the ACU, The Syrian Embassy in Qatar and the coalition representations in the United States of America, Britain, Turkey, Jordan, Germany, Belgium and France, and a number of departments, offices and committees, and is considered the backbone of the Syrian Negotiation Commission and the Constitutional Committee;

³ The legal office inside Syria was formed, by the coalition in August 2020, from a number of Syrian lawyers and notaries, with reasonable participation of women, is technically affiliated with the Detainees Commission and Human Rights and the Legal Committee, and it administratively and financially belongs to the Secretary -General, Mr. Abdul Basit Abdul Latif;

⁴ The Refugee Office of the Syrian National Coalition monitors the situation of Syrian refugees around the world in order to protect their rights and improve their conditions;

diseases, the Commission has begun to investigate the matter to understand the situation and assess the means of treatment;

Three – Methodology

3. The National Commission on Detainees and Missing Persons reviewed the information it received from the Refugee Office in the Coalition, monitored the news circulating on the matter, and then developed a plan to deal with the file;
4. The Commission communicated directly with the prisoners and conducted (59) interviews with (37) witnesses and victims through the available means of communication, during which it heard their testimonies;
5. The Commission analyzed the information, statements, documents, and witnesses' statements, and in some cases, it widened the scale of questions and re-asking them more than once, and documented this with audio or video with the permission of witnesses;
6. The Commission communicated with a number of relatives and acquaintances of the detainees outside the prison, listened to their testimonies and documented their information about the conditions of detention and the background of the detainees they know;
7. The Commission contacted a number of Lebanese lawyers assigned to defend the Syrians, listened to their observations, and obtained a number of documents and relevant evidence from them;

8. The Commission subjected all information and documents to examination and further investigation, and reached a number of conclusions and recommendations set forth in this report;
9. The Commission urgently sent two separate letters to the International Committee of the Red Cross ICRC, and it received an answer to the letter and interest in their content, and the ICRC clarified the efforts made by it in prisons; The Commission appreciates the great efforts made by the ICRC, and it is aware of the difficulties the ICRC faces in relation to the level of cooperation by the authorities;
10. Dr; Nasr Al Hariri / President of the Syrian National Coalition sent an urgent letter to the Ministers of Health, Justice and Interior in Lebanon, asking them - for humanitarian reasons - to intervene to save prisoners; Attachment No; (1) he received a notification of receipt of the letters from the Lebanese Ministry of Foreign Affairs, but he did not receive any reply from the other ministries;

Four, Facts

A- Patterns of arrest, investigation and trial

Extensive arbitrary arrests:

11. Syrians are detained without legal reasons, and the arrest is often by non-specialized agencies; Most of the prisoners we interviewed say that the Lebanese Army Intelligence arrested them and transferred them to military prisons such as Zughuib Prison in Sidon and Al Ablah Prison;

12. The course of the investigation begins with the fabrication of terrorism charges, and the detainees are subjected to torture in order to force them to sign confessions of their joining to the Al-Nusra Front or ISIS, according to their testimonies;
13. The Commission listened to testimonies saying that the security services subjected to Hezbollah in Lebanon carried out reprisals against the Syrian refugees from the people of the Syrian town of Qusayr, who were displaced to the Lebanese town of Arsal, in which they were subjected to a campaign of arbitrary, random and retaliatory arrests after the battles that took place in the town of Qusayr in Syria between the Free Army there and the Hezbollah militia occupying Qusayr and lands of the people in the town;

Torture, liquidation and ill-treatment

14. During their detention, prisoners were subjected to forms of physical and psychological torture, such as beatings, electric shocks, waterboarding, and sleep deprivation; prisoner Noah says in his testimony: “they beaten my genitals and asked me, “Are you married?” I told him yes, and he told me from now, you will not be able to get married, and he continued beating my genitals”
15. Prisoner Kareem says in his testimony: “you will confess forcibly, and then he brought green iron bar and started beating me and then he threatened me to bring my wife and mother and he insulted me too much then I told him I am ready to say whatever you want; They then cuffed my hands behind my back and hanged me over an electrical water tank and they shocked me twice with electricity inside the water and while I

was screaming I told them I am ready to say whatever you want just stop torturing me”

16. A number of incidents of killing under torture in the Lebanese security branches, according to the testimonies of a number of Syrian prisoners;
17. Prisoner Ibrahim says: “so many people died under torture, and whenever a prisoner dies, they say: Next; I know some of those who died under torture such as [REDACTED] and one known as [REDACTED]. And [REDACTED] they are from Kara town, and a doctor is from the family of [REDACTED] and they are some of the people who were arrested during the raid on the camp”
18. Prisoner Qasim says in his testimony: “I remember when I was in Muhammad Zgheib Military Prison there was someone whose name was [REDACTED] From the Saqrjah area in the countryside of Al-Qusayr, and he was transferred to solitary confinement, and we did not see him again; They told us that he committed suicide; I know this person very well, and he is a strong-willed believer, and I would rule out that he committed suicide;”

Abusing women among the detainees' families during the investigation

19. The authorities in Lebanon used threats to arrest the family, and the threat of rape of the wife and sisters in front of the detainees as means to obtain confession, and a number of detainees' women were brought and beaten them and verbally assaulted them using profanity, says prisoner Nabil in his testimony to us: “I am a law student from the city of Damascus

and I did not complete my studies because of the Syrian revolution; I live in the camps and I do not have any military activity; The Lebanese army intelligence arrested me, after the beating and torture, they said we will bring your family and they called my uncle and told him to bring my mother, and I heard about prisoners who told the interrogator to write anything he wants after the intelligences brought the wives and abuse them, and they took from me a confession that I am treating the wounded from the Free Army during the battle of Aarsal and that I prevented the militants from leaving the Aarsal area as if I were an army alone !! I told the interrogator, is it possible to read my confessions? He beaten me on head and said sign you animal; I had been in custody for 33 months and I never seen the judge, every ten months they take me to a court session and then they tell me the trial is postponed 10 months; I do not have a guardian, my mother is old woman and two younger brothers have left school to help me with prison money and house rent”

Prisoner Abdullah says in his testimony to us, “After the torture, they threaten to bring my wife and mother if I did not agree to what they attributed to me, and as a result of the physical and psychological torture I signed on what they wanted”

Unfair Trials

20. Those arrested are referred to the military court even though they are civilians, and judges often ignore in their investigations and judgments the statements of defendants that confessions were taken from them under torture;



21. Judges do not consider torture crimes committed by investigators against the defendants, despite this being mentioned in their statements in court, and despite the effects of torture on some of them, and some judges violate the human dignity of the defendants; Prisoner Aziz says in his testimony to us: “My family retained a lawyer after they sold the tent in which my family lived, and the Ministry refused to meet the lawyer because I am a terrorist (according to the accusation); At the ministry, all of my family brought including my mother, my wife and my sister and they beaten them in front of me through the cameras, and I confessed all the charges attributed to me because of the torture practiced on me and my family; They took me to the military court, I stayed for 25 days in the military court, until the wounds healed; Then they took me a judge called [REDACTED] The judge told me, "You are all sons of dogs, you are liars; You come to me and claim that you are innocent; He only said this sentence, and he did not allow me to speak; " After about eight months they referred me to the military court judge [REDACTED]”

22. Syrians are being tried for terrorism crimes, in behavior similar to what is done by the Assad regime during its trial of political detainees, and the procedures followed in these courts are brief and politicized, and in violation of general legal principles; Says prisoner Adam: “We Syrians are wronged a lot; There are people who have been in custody for 18 months, 19 months and 20 months only because of similarity of names; They were not trialed and some of them are sick in addition to diabetes and cardiac diseases; And we as Syrians depend on the lawyer, and the lawyer sometimes works and sometimes he does not, and he/she says that all the lights are on the Syrian as he is considered as a terrorist; We fled and deserted from our countries in order to be saved from injustice, but we came to same injustice in Romieh prison; I have been in custody for



8 months and ten days without any charge and I have done nothing and I am waiting for the trial; I feel a high temperature, a weakness in the body, and pain in the joints, and pain in the head and throat, they say these are symptoms of Corona”

23. Litigation procedures for Syrian prisoners are taking place more slowly than their Lebanese counterparts, despite the clarity of most of the cases, such as the case of prisoner Zakaria, who was arrested for similar names and has been since 2017; In his testimony to us, he said, “After interrogating me, for about ten hours, they were sure that I was not the wanted person; Then they knew the real wanted person is already in Romieh prison, and they released me; Six months later, they arrested me again in Tripoli and then released me few days later after knowing that I am not the wanted person; in 2016, the General Security arrested me while doing my procedures to travel to Norway after the UNCHR called me and offered me resettlement; I have been in custody since that day without any accusation nor suspect; I have been taken into about 10-12 court sessions and every time the judge postpones the session claiming that there is no lawyer and sometime other pretexts; Last time the court requested verification from the Intelligence Department and the security branches about the wanted person, and the documents confirmed the name of the second person with the same name, and despite this, I was not released and the pleading did not take place at any session”

24. Heavy court rulings against minors and racial discrimination that appeared in some cases, and some judges asked for bribes, according to the testimonies of witnesses, the boy Fadi told us: “they brought me with an indictment with 14 people I do not know completely; After 7 sessions, I was sentenced to life imprisonment despite knowing that I am a minor, and I submitted to the Military Court of Cassation that I

was sentenced to life imprisonment and my appeal was rejected and the lawyer stopped pleading; I have been imprisoned for 7 years unjustly, and there is discrimination between the Syrian and Lebanese detainees, in court and they asked for 22 thousand dollars in exchange for my freedom, but I do not have that amount, and you can mention my real name in my testimony”

B-Handing over a number of Syrian prisoners to the Assad regime

25. We carefully investigated the allegations of handing over a number of Syrian prisoners to the Assad regime, and we obtained testimonies suggesting that this is likely to happen to some of the detainees or convicts who have completed their sentences; We have reservations about publishing their names right now;
26. It was also mentioned in a special testimony, that the detainee [REDACTED] disappeared after his release, and his family knew that he was arrested by the Assad regime in Syria after a long period of time; "
27. We knew from the family of Wael, who has defected from the regime, and a refugee in Lebanon, that Hezbollah handed him over to the Syrian regime after his release from Lebanese prisons and he was kidnapped by two well-known persons; Wael's brother says “We filed a lawsuit against the kidnappers in Lebanon through a well-known lawyer, but Hezbollah's authority was over the Lebanese judiciary, and Wael's wife has also been missing for nearly four years, and they have three children under the age of fifteen, living with their grandmother” We keep the names of the accused kidnappers, and other

information in our documents in the National Commission on Detainees and Missing Persons and we are looking for ways to share them with international investigation and accountability bodies;

C- Racism

28. Most of the witnesses and victims affirmed in their own testimonies that they are subjected to discriminatory treatment because of their Syrian nationality and sectarian affiliations; In general, the authorities disregard the right of freedom for Syrians, either deliberately or systematic neglect;
29. Juvenile prisoner Fadi says, “After 4 hours, I was brought to the Information Branch, with severe beating, and I faint after kicking; and when I woke, they told me go to hell you are a mere Syrian refugee; When I raised my head I saw Hezbollah flag in the office and they started me again because I opened my eyes and tried to see what is happening in the room; I have stayed in custody for three months and my family do not know where I am; My mother knew that I was in Roumieh prison through the Red Cross; I was prevented from seeing my family; Then I retained a lawyer, and after nine months I was brought before the judiciary, and in 2015 the judge was called [REDACTED] Firas says: I do not know my charge and if I were Lebanese, they would release me long time ago, but the double standards policy in the military judiciary is the worst thing we suffer from”

30. In its policies, the Lebanese government works on the return of Syrians, and in a Cabinet, statement dated 10/21/2019 Paragraph 13 of the Council’s decision stipulated that the Minister of State for Displaced Affairs should submit a policy paper for the return of displaced Syrians for approval to urge the international community for a safe and dignified return, and this coincides with the statements of the President of the Lebanese Republic, denying the security risk to the Syrians in Syria and reiterating that the situation in Syria has become ready for return, and rejecting the limited return, ignoring the reports, decisions and international standards;

Prisoner Haitham told us: “the military knocked the door and when we opened it, they starting beating us and saying that we deal with terrorist groups and then they took me to a checkpoint (I think it is Balbak), then to another one called Ablah; I was stunned that my father was arrested too with me; My father is an ill man and suffers from diabetes and atherosclerosis, and disease in backbone; They used my father as a mean to force me confess things I did not do, and whenever I say no, they say we will bring your father and torture him in front of you; As a result, I told them okay I will sign on everything you want just do not torture my father; After that, I stayed for 14 days in the ministry and then transferred to the military court”

D- Conditions during the outbreak of the Corona pandemic in Roumieh prison

Describing the reality of Roumieh prison

31. Roumieh Prison, the largest of the Lebanese prisons, located in the northern Matn district, east of Beirut, was inaugurated in 1970, and it houses more than four thousand prisoners now, although it is designed to accommodate 1500 prisoners at maximum capacity, in accordance with international and Lebanese standards; It consists of several sections for the convicts, detainees and juveniles, divided into several coded buildings, including Building (B) and Building (D), in which Syrian prisoners are, in addition to Building (F), which contains the solitary cells;
32. Building (B) now houses 607 prisoners, most of them Syrians, (425 prisoners), the rest are from Palestinian and Lebanese nationalities; Syrians in building (D) are charged of terrorism, because of their opposition to the Assad regime, and because they are Sunnis;
33. Building (D) consists of three floors dedicated to the convicted, we did not get the number of its prisoners, but in the first quarter of 2019 there were 800 prisoners, of whom about 300 were Syrians, most of their cases related to the revolution against the Assad regime; They are isolated in two wings allocated to them in one floor; The rest of the wings are occupied by Lebanese and other nationalities accused of criminal offenses such as murder, rape, drugs, forgery and theft;
34. The former Minister of the Interior inaugurated Building D which is designed to punish the most dangerous prisoners; The treatment in it is more severe, “even thinking of a phone call from it is like the devil's dream to go heavens” according to a testimony we got from a former prisoner was in the same building;

35. The witnesses informed us that the Information Division, affiliated to the Ministry of Interior, as an independent security agency, directly supervises Building D, and although it contains prisoners of all sects, it is controlled by Shiite ones, according to the language of the statements circulating in Lebanon;
36. Prisoners in some buildings sometimes stage an uprising, and they are appeased with some temporary facilities by the prison administration;
37. Each building has a commanding officer responsible for it, with a number of lower-ranking officers;

Describing the conditions of prisoners

Poor health care and living conditions

38. Large numbers of prisoners are crammed into small cells, and they are exposed to shortness of breath and difficulty moving, due to overcrowding and lack of ventilation; According to the testimonies of prisoners, “They put in the small cell from three to six prisoners, and in the larger rooms, which are also small, from 14 to 15 prisoners”
39. The food is poor, and the prisoner gets one meal a day, “bulgur or boiled potatoes or chicken, even animals cannot eat them”, according to the testimony of Safi; Insufficient food and poor medical care weakened the prisoners' immunity and resistance to illness, germs and viruses, and chronic diseases increased among them recently;
40. Prisoner Jaber told us: we are 6 prisoners in a very small room (2*3m) and the food comes to us in big dirty cookers that contain insects and small animals such as mice; It is impossible to eat such so-called food that is not supervised by ministry of health;

41. Prisoners believe that the infection was transmitted to them from the anti-riot forces, and they say that before entering these forces with chaos and recklessness, prisoners did not show any infections; according to prisoner Nader who confirmed “that these forces entered (14 days ago) into prisoners’ rooms without taking medical protection measures into consideration”
42. With the outbreak of the Corona pandemic in the prison, the only doctor and the nurse left the prison dispensary, according to the prisoner Asaad, saying, “There is only one doctor in the building, and as soon as the disease appeared in the building and the cases were discovered, he left the building and did not return permanently; There is no pharmacy in the building and there are no medicines available except for Panadol, and this also is no longer available”
43. The lack of health care inside the prison has led to a terrible and frightening spread of the pandemic, especially Building B, in which the Syrian detainees are located;

Beating prisoners and inhuman treatment during isolation

Prevent patients from contacting their families;

44. The prison administration allocated Building C to isolate those infected with Coronavirus, and it is considered as a punitive building in which those sentenced to death are isolated; According to prisoner Diaa, explaining that “the treatment during isolation is worse, patients are prevented from communicating with their families and forbidden from the



necessities such as their clothes, and those who return from isolation say that it is better to die here than to go to isolation in that building; There is no isolation, but there are narrow rooms and neither sunlight air enter it, they are solitary cells, and there are large rooms in which they put those who have been confirmed infected but also randomly, and the situation is dire and very bad as they are beaten when they reach the building or when they ask for medicine; So, moving prisoners to that building is more like a punishment than a treatment”

The Lebanese government reaction towards the outbreak of the pandemic

The Lebanese Ministry of Health confirmed the infections after the tests, but did not provide the necessary treatment;

45. Prisoner Samir says “After the news of the spread of Corona pandemic in Roumieh prison to the media, a committee from the Lebanese “Ministry of Health came and examined a number of prisoners after the prison doctor and the nurse left their work in it; After two days, they told us the results of the PCR tests, and I was tested positive with a number of prisoners, and they did not provide us with any medications, vitamins, or even pain reliefs in prison, and when the patient reached the stage of severe danger and severe fatigue, he was transferred to the hospital according to what they say; We do not know if they are taking patients to the hospital or to another place, and who is infected to a degree where he cannot move, he is transferred outside the prison, but we do not know where he is transferred to the hospital or not, and there is no isolation

between the infected and the non-infected prisoners in the building, all those infected with Coronavirus are with us”

46. Prisoner Nihad told us: “I was tested positive, a slight infection seven days ago; We had a general health doctor in the hospital, and since the outbreak of the pandemic inside the prison, he no longer entered the prison; Prisoners are taking care of each other; Almost everyone has symptoms, they conducted a medical test for about 70% of the prison inmates, there were about 200 infections, they took 10 to 15 people outside the prison due to the severity of their infections; The prison is overcrowded and its rooms are open to each other, the large rooms contain from 14 to 15 people and the small ones from 5 to 6 people; We pay for food, and I was sentenced by the military judiciary to three years and 1 ; 5 million lira, after month and a half my sentence ends”
47. With the beginning of the outbreak of Coronavirus in Lebanon, bodies in civil society - such as the Doctors and Lawyers Syndicates, and the Association of Muslim Scholars in Lebanon - announced their warnings of a disaster that might occur in Lebanon's prisons in general, and Roumieh prison in particular, and that it transcends the health disaster into a societal disaster in the event of an outbreak of pandemic, and they demand the authorities to find a quick solution to the disaster occurring in the prison and hold them fully responsible for the lives of prisoners; (see attachments);
48. On 9/23/2020, the General Directorate of Internal Security Forces - Public Relations Division issued the following statement: “In the framework of follow-up of new cases of Coronavirus in prisons, the outcome of health tests related to Coronavirus in Roumieh Central Prison (PCR Tests) to date

has reached (956); There were (352) positive cases and (604) negative cases, and (7) cases were transferred to the hospital to receive the necessary treatment; ”

49. On September 19, 2020, the Commission received a list from inside Roumieh prison about the Syrians infected with the Coronavirus, and their number until that date (137) cases, then the numbers increased and could no longer be accurately counted, and it is believed that the number of infected Syrians exceeded four hundred prisoners; (See Attachments);

50. The Lebanese state receives international aid to meet the needs of Syrian refugees in general and prisoners in particular, and due to what the Lebanese called widespread corruption within the government; several questions arise about the transparency of this aid’s delivery to the target; One prisoner told us, “For a year and a half, Building B has not received mattresses, clothes and blankets sent from the International Committee of the Red Cross, Nor the allocated quantities of sterilization and hygiene materials, despite their accumulation in prison warehouses, and that the committee's interviews with prisoners in order to find out their conditions and to ensure communication between prisoners and their families, do not take place in Building B as like other buildings, despite the fact that the Syrian detainees in it are majority and they are in desperate need for the committee's services ”

Death as a result of medical negligence

51. On the evening of Sunday October 4, 2020, and during the preparation of this report, we learned about the news of the death of Mahmoud Abdel-Rahman Farah / the 52-year-old Syrian prisoner in Roumieh, after being transferred from prison to Al-Hayat Hospital in Beirut, as a result of his deteriorating health condition;
52. The Lebanese Observatory for Prisoners Rights issued a statement explaining that Mahmoud Farag was in good health but he suffered from several diseases as a result of poor health care in Roumieh prison, and that the deceased prisoner was sleeping in the toilets as a result of the overcrowding of prisoners' rooms, and that his condition began to worsen little by little until he became unable to Standing on his feet, reaching to defecate in his clothes without even feeling (Statement in attachments) ;



53. Our Commission contacted the Lebanese Observatory, the family of the deceased, and his attorney, lawyer Muhammad Sablouh, and we obtained important information

about the prisoner's conditions, the case file, the military court's decision and the investigative judge's decision; (Two attachments) ;

54. The documents show that the deceased prisoner has been sentenced to five years, as a result of his accusation of killing officers and members of the Lebanese army, and the lack of proportionality of the sentence with the crimes attributed to the court indicates that the court is not convinced of the charges that, according to Lebanese law, require death sentence;
55. The deceased prisoner Mahmoud confirms in the records of his interrogation in the court, which we obtained, “He was beaten and tortured during the initial investigation, and that the interrogator forced him to sign without reading the statement, and that the charges against him are not true”
56. The victim, according to what he said in the report, “was wounded by shrapnel while he was in Syria and then moved to Lebanon to support his family for their livelihood; He is the provider for fifteen members of his family and he is responsible for their upbringing and their livelihood”
57. Mahmoud's relatives informed us that “his family members used to count the days for him to go out to them, and he had two months left to finish his sentence; ” However, deliberate negligence by the Lebanese authorities led to his death and made all his family members victims of his loss;
58. Mahmoud, who was arbitrarily detained and unfairly sentenced, is not the only case in which he suffers death due to the lack of conditions and health care in Roumieh prison, as reported by witnesses;

59. Although Roumieh prison lacks the necessary equipment and an emergency room, examination procedures and referral to the hospital take a long time that is not commensurate with the need for urgent measures to aid patients in critical conditions;

Prisoner Issa says, "I have a single girl, I do not know if I will go out alive or dead, I am afraid of the death that we live in here, I hope to go out and return to my house and see my only girl, I do not know if I can or not; "

E- The families of the victims are all victims too

60. Families of Syrian detainees become victims, and while women bear the brunt of the necessities of life and survival requirements, children pay a double price in being deprived of education, the psychological and financial care, and the completion of their education; While the consciences of the leaders in Lebanon are absent, the mothers of the detainees are awake in the absence of their loved ones, leaving most of the time chronic physical and psychological illnesses, without an echo that brings these groans to the world;

61. This is in addition to the families' constant suffering in cases of enforced disappearance to which their loved ones are subjected or because they are denied the right to visit them or know their conditions, Prisoner Salam says, “I went out of the military court and sent to my family to come; They came twice but not allowed to enter; We are not terrorists; If we were terrorists, we would have gone to the areas where the terrorists are present”

Five – Conclusions

A, B - Authorities' violations of international and Lebanese law

62. The Corona pandemic revealed the humanitarian crisis of the Syrian detainees in Roumieh Prison and other Lebanese prisons, and exposed the authorities' violations of Lebanese law, international humanitarian law, international human rights law, and refugee rights;
63. After listening to the victims and witnesses, and examining and analyzing documents, evidence and secret testimonies documented (audio and video) by our Commission, in addition to reports, statements and media interviews published in this regard;
64. In view of the text of Paragraph B of the Introduction to the Lebanese Constitution that “Lebanon is Arab in identity and affiliation, it is a founding and active member of the Arab League and is committed to its charters, as it is a founding and active member of the United Nations and is committed to its charters and the Universal Declaration of Human Rights, the state embodies these principles in all rights and fields without exception;”
65. We find that all texts contained in international charters and treaties ratified by Lebanon enjoy the value of constitutional provisions;

66. And based on the jurisprudence of the Constitutional Council, which recognized that the Universal Declaration of Human Rights (1948) and the International Covenants on Civil and Political Rights (1966) and Economic, Social and Cultural Rights (1966) and the Arab Charter on Human Rights mentioned in the introduction to the Constitution are international instruments whose provisions have constitutional value equal to various other provisions of the Constitution;
67. Whereas Lebanon ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment CAT (known as the "Convention Against Torture" or "the Convention") under Law No; 185 dated 05/24/2000 (accession on 10/05/2000), and ratified the Optional Protocol of the Convention Against Torture (OPCAT) under Law No; 12 of 09/05/2008 (accession on 12/22/2008);
68. The National Law Against Torture No; 65, established in the Lebanese Parliament in 2016, remained useless due to the Lebanese government's obstruction of mechanisms to implement its content, which were stipulated in its body;
69. Through our extensive investigation, we have not seen positive action by the judges and the prosecution to investigate the cases of torture contained in the statements of the defendants; The Lebanese judiciary neglected to consider allegations of torture of the detainees, and the perpetrators were left without punishment, and the victims without compensation;

70. And based on the articles of the Penal Code and the Code of Criminal Procedure, stipulating the principles of protecting personal freedom, preventing any kind of arbitrary detention, and on the basic rights of individuals deprived of freedom and basic guarantees for a fair trial, as well as the Civil Procedure Code, which stipulates the basic guarantees for a fair trial and the right by resorting to the judiciary in order to establish rights;
71. The Law of Protection of Juveniles in Conflict of the Law or at Risk, which aims to protect and rehabilitate children, and provides for the protection of juveniles;

We conclude - from the facts and by analogy with the texts - to the following conclusions:

72. Most of the Syrians detained in Roumieh Prison were arbitrarily arrested by the Lebanese authorities, or groups loyal to them, because of their political views against the Syrian regime, as confirmed by witness statements;
73. Multiple cases in which the testimonies confirmed the threat to bring women from family members of the detainees, and in some cases, they assaulted them by insulting and beating them, as a means of pressure to extract the detainee's confession according to the investigator's scenario;
74. In other cases, prisoners were handed over to the regime or threatened to be sent to the regime, in addition to severe torture during the interrogation; Ghassan told us in his testimony that they told him the phrase **“We will hand you over to the Palestine Branch was the worst threat, I did not**

understand due to the horror of the shock, I originally had seven broken ribs from the severity of the beating”

75. The authorities in Lebanon violate Article 8 of the Lebanese Constitution, which states that “Personal freedom is protected by the law; No one can be arrested, imprisoned or arrested except in accordance with the provisions of the law”

76. And Article 3 of the Universal Declaration of Human Rights: "Everyone has the right to life, freedom and security of his person;

77. And Article 6 of the Covenant on Civil and Political Rights, which states that "the right to life is an inherent right of every human being; The law shall protect this right; No one shall be arbitrarily deprived of his life;

78. The evidence available to us confirms Hezbollah's involvement in the kidnapping of officers who defected from the Assad regime forces, who sought refuge in the Lebanese state, fleeing with their families from death; After luring them from their whereabouts, Hezbollah handed them over to the Syrian security authorities without any trial or even referred them to the judiciary;

79. The Lebanese state bears a direct responsibility to protect the refugees on its territory, and its silence regarding these crimes constitutes a presumption that some of its agencies are involved in these crimes;

80. Article 3 of the Convention against Torture states that “No state party may expel, return, or extradite any person to another state if it has real reasons for believing that he will be in danger of being subjected to torture; ”
81. Also, despite Lebanon's signature in 2008 of the Optional Protocol to the Convention against Torture, it did not commit to establishing an independent body entrusted with the mandate in accordance with the protocol to monitor detention centers to ensure compliance with the convention;
82. Article 13 of the Covenant on Civil and Political Rights states that “An alien legally residing in the territory of a state party to this covenant may not be deported except in implementation of a decision taken in accordance with the law, and after enabling him, unless national security necessitates otherwise, to present the reasons supporting his staying and to allow him to present his case to the competent authority or to whom it appoints or appoints specifically for that, and to appoint someone to represent him before it or before them; ”
83. Although the Lebanese state is not a party to the 1951 International Refugee Convention, it is bound by the historic New York Declaration for Refugees and Migrants of 2016 and the 2018 Global Compact on Refugees; All UN member states have agreed that “protecting people who are forced to flee and supporting the countries that harbor them are two common international responsibilities that must be assumed in a more equitable and predictable manner; ”

84. The new principal guidelines confirm that the refugee definition contained in the 1951 Convention applies to persons fleeing armed conflict and violence;
85. The basic principle of non-refoulement is that a refugee should not be returned to a country where he would face a serious threat to his life or freedom; This is now considered a rule of customary international law;
86. This constitutes a flagrant violation of Article 5 of the Universal Declaration of Human Rights, which states that “No one shall be subjected to torture, nor to cruel, inhuman or degrading treatment or punishment”
87. And to Article 7 of the Covenant on Civil and Political Rights states that “No one shall be subjected to torture, nor to cruel, inhuman or degrading treatment or punishment”
88. And to Article 20 of the Arab Charter on Human Rights which states that “all persons deprived of their freedom must be treated humanely with respect for the inherent dignity of the human being”
89. And to the provisions of the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified by the Lebanese state, and it states in its first article (for the purposes of this convention, 'torture' means any act that results in severe pain or suffering, whether physical or mental, intentionally inflicting on a person with the intention of obtaining from this person, or from a third person, information or a

confession, or punishing him for an act he has committed or is suspected of having committed it);

90. The Statute of the International Criminal Court describes torture and deprivation of liberty as a crime against humanity, and stipulates in Article 7 of the Rome Statute that premeditated murder, torture, imprisonment or severe deprivation in any other form of physical freedom in violation of the basic rules of international law constitutes a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population with knowledge of the attack;

91. Those behaviors followed against Syrian prisoners in Lebanon are in violation of the Minimum Standard Rules for the Treatment of Prisoners, which were recommended for adoption by the First United Nations Conference on the Prevention of Crime and the Treatment of Criminals held in Geneva in 1955 and approved by the Economic and Social Council with its resolutions in 1957 and 1977;

92. Article 401 of the Lebanese Penal Code stipulates that anyone who “inflicts violence on a person not permitted by law in order to obtain a declaration of a crime or information about it, shall be punished with imprisonment from three months to three years”; The same article adds that “if acts of violence lead to disease or wounds on him, the minimum penalty shall be imprisonment for one year”

93. There is a large number of Syrian prisoners who have been arrested and placed in prison for long periods of time, up to months and years, without referring them to the judiciary, and in procedures that lack legal conditions and without taking into account the litigation procedures;
94. Article 8 of the Lebanese Constitution states that “Personal freedom is safeguarded and protected by the law; No one can be arrested, imprisoned, or arrested except in accordance with the provisions of the law, and an offense or punishment cannot be determined except in accordance with the law; ”
95. Articles 32 - 42 - 47 of the Lebanese Code of Criminal Procedure stipulate that the initial detention period during the preliminary investigations conducted by members of the judicial police under the supervision of the Public Prosecution office may not exceed a period of 48 hours, which may be extended to an additional 48 hours upon a reasoned decision by the Public Prosecutor, whether the offense is a felony or a misdemeanor;
96. A number of Syrian minors are being tried and sentenced to harsh sentences, up to life imprisonment, in violation of the Law of the Protection of Juveniles in Conflict with the Law and at Risk Which provides in Article 2 guarantees for the juvenile “It must keep in the mind of the interrogator that the juvenile interrogating him needs special assistance that qualifies him to play his role in society; The juvenile who violates the law must receive fair and humane treatment; And he should strive, as much as possible, to spare the judicial procedures by adopting compromises,

loving solutions, and measures that do not prevent freedom; The interrogator must strive not to frighten the juvenile and ensure his psychological comfort when being interrogated by all the methods available to him, and that juveniles are not detained with adults; And that the juvenile punishment for the act is transferred if it is life imprisonment or the death penalty to imprisonment from five years to fifteen years; ”

97. The Lebanese authorities violate all of these provisions, as in the case of minor Shadi, who was sentenced to life imprisonment;
98. The Syrian detainees are being tried before the military court for terrorism offenses as they are political prisoners, and the procedures followed in these courts are brief and politicized, in violation of general legal principles and litigation procedures;
99. The contradiction in the judgments between the obligations of the charges attributed to the convicts, and the temporary detention sentences issued, indicates that the court is not convinced of the accusation on the one hand, and its inability to bypass it on the other hand; (According to what was explained above in a previous paragraph);
100. The authorities violate Article 47 of the Lebanese Code of Criminal Procedure, which stipulates the rights of the accused to contact a member of his family, his employer, a lawyer of his choice, or one of his acquaintances, and to meet with a lawyer who appoints him with a statement written on the report without the need

for a duly organized attorney, and to submit a direct request, or through his lawyer or one of his family members to the Public Prosecutor, to take him to a doctor for examination, and for the Attorney General to appoint a doctor for him immediately; The doctor must conduct the check up without the presence of any of the judicial officers, and submit his report to the Public Prosecutor within a period not exceeding 24 hours, and the Public Prosecutor shall communicate a copy of this report as soon as he receives it; The detainee and any of those previously mentioned, if his detention is extended, may submit a request for a new checkup;

101. The effects of the structure of state institutions in Lebanon, based on sectarian quotas, were reflected in some courts, and it seemed apparent that the majority of judges in military courts were subject to the Amal Movement or to Hezbollah, the thing which challenges their independence;

102. Examination of the case files available to us and the testimonies of witnesses suggest a lack (or weakness) of the independence of judges in military courts, Prisoner Mosa told us: “I went to the investigating judge [REDACTED] ; And when I entered to see him, he said: they did only this to you? You deserve more torture (mocking the torture the prisoner exposed to) they he said: all of you are rabbits; I said: oh, Sir what you are talking about? He insulted me then told guards to take me out”

103. Most of the arbitrary sentences of imprisonment are long for several years, in addition to heavy fines that the convict cannot pay, the thing which prevents his release upon the expiration of his sentence;
104. Syrians are tried before military courts, even though they are civilians, there are information talking about the wide influence of Hezbollah and the Amal movement on most of the judges;
105. During the investigation, we documented several cases of people who were arrested and tortured due to the similarity of their names to other wanted persons, and despite the clarity of the difference, the investigators did not retreat from their procedures;
106. The Lebanese authorities violate the International Covenant on Civil and Political Rights, and Article 9 stipulates that “Everyone has the right to freedom and security of his person; No one shall be arbitrarily arrested or detained; No one may be deprived of his freedom except for reasons stipulated by law and in accordance with the procedure established therein; Anyone who is arrested must be informed of the reasons for this arrest when it occurs, and he must also be promptly informed of any charge against him; The person arrested or detained on a criminal charge shall be promptly presented to a judge or one of the officials authorized by law to exercise judicial functions, and he shall be entitled to be tried within a reasonable period or to be released; The detention of persons awaiting trial should not be the general rule, but their release may be suspended on guarantees to ensure

that they attend the trial at any other stage of the judicial process, and to ensure the implementation of the judgment when necessary; Every person deprived of his freedom by arrest or detention has the right to return to a court so that may decide without delay on the legality of his detention and order his release if the detention is unlawful; Everyone who has been the victim of an illegal arrest or detention has the right to compensation;

107. Prisoners are distributed into the buildings on a sectarian basis, so building (B) is dedicated to the Sunnis and has the largest number of Syrians, Building (D) is a mixture of the rest of the sects and Shiites, and it has two special wings in which Syrians are isolated on a separate floor, and there are places for other sects, as confirmed by a number of victims witnesses in their statements that we have documented;

108. Cases of death under torture in military prisons, including the prison in Muhammad Zughuib barracks; In a testimony from a prsion, it was stated, "A person named ; died under torture; I guess he was from Sakraj village near Qusair city, and they killed ; and ; and a doctor named "

109. During the army's raid on one of the camps in the town of Arsal, the camp residents were subjected to very bad treatment, beatings and torture, which led to the death of several people, in deliberate harm leading to death;

110. The Lebanese authorities, represented in some government agencies, the army and the security services, follow systematic policies of harassing the Syrian refugees fleeing the oppression of the regime;
111. The authorities deal with Syrian refugees discriminately on sectarian and racial grounds;
112. The kidnapped persons were subjected to enforced disappearance, and the crimes committed against them are considered ongoing, Article 569 stipulates the penalties for kidnapping and enforced disappearance;
113. Roumieh prison is overcrowded with a very large number of prisoners that exceeds the capacity of the prison, in addition to the presence of dirt and filth, and the insufficient sanitation facilities such as toilets and bathrooms, and the inappropriateness of most of them and some of them are out of service, all of this led to the spread of diseases and epidemics among the prisoners, especially Building (B) in which the Syrian detainees are detained;
114. In violation of Article 10 of the International Covenant on Civil and Political Rights, which provides for humane treatment of all persons deprived of their freedom, and respect for the inherent dignity of the human person;
115. Health care is almost non-existent in Roumieh Prison, and there are reasonable reasons suggesting that the shortfall in health care is intentional towards Syrians, in violation of their right to life;

C- The collective responsibility of the Lebanese state

116. The negligence of the Lebanese authorities to take the necessary measures in the health care, prevention and treatment necessary to protect prisoners from the Coronavirus led to the outbreak of the pandemic inside the prison;
117. The Lebanese state failed to prevent kidnapping or extrajudicial detention, enforced disappearance, torture, and liquidation during habeas corpus, investigation, or imprisonment;
118. The failure of the Lebanese authorities to monitor detention centers, prevent killing, and conduct an effective investigation led to repeated incidents of death of a number of Syrians as a result of torture, which together with the above constitutes a grave violation of the human right to life;
119. International human rights jurisprudence places the onus on the authorities to establish that death in prisons or detention centers did not occur as a result of carrying out actions or omitting to carry out actions likely to cause death;
120. Many of those arrested are not aware of their charges during the interrogation, and are subjected to systematic torture and enforced disappearance, and to treatment that undermines human dignity; Some of them are threatening to assault their women and fathers in order to extract their confessions according to the dictates of the interrogators; Prisoner Khaeld told us: “they brough my family and most of them are women, they tortured me and beaten my wife, sister and mother; He

asked me, who is this woman? I told him this is my wife; Then he said she is here because you do not confess, I told him I ready to accept any accusation just let my wife go, and he said ok you have sign a confession that you are from Qusair and fought in Qusair” Qusair is a Syrian city whose residents have been displaced by Hezbollah;

121. The Lebanese authorities violated the rights of refugees fleeing death and failed to protect them and prevent their handover to the Assad regime, which poses a grave danger to their lives;
122. Syrians in Lebanon are tried before the military judiciary, even though they are civilians and not soldiers, and they are treated differently because of their nationality, sectarian affiliations and political opinions, and they are not subject to the conditions of a fair trial; Judgments are issued against them in brief procedures;
123. The repeated Lebanese call to return the Syrians to their country without a political solution, officially expressed by the President of the Lebanese Republic, Michel Aoun, in his international meetings and his statements before the United Nations General Assembly, and the racist statements repeatedly declared against the Syrians by Gebran Bassil, former Minister of Foreign Affairs and a number of government officials, explain the Lebanese state's disregard for the grave violations committed against Syrians;
124. Hezbollah is part of the parliament and government in Lebanon, and the Lebanese state bears responsibility for its involvement in war crimes against the Syrian people in both Syria and Lebanon;

125. The announced data and published human rights reports confirm that the Lebanese state institutions have a certain knowledge of all the violations that take place, and despite that there is no indication that the necessary measures have been taken to prevent or stop these violations, or to effectively investigate and hold them accountable;
126. The foregoing indicates the responsibility of the Lebanese state for gross violations of human rights, and for the crimes referred to above, which are likely to be described crimes against humanity;
127. The Ministry of Justice administration of prisons has not been activated despite the issuance of the text in Decree 15 of 1964 to that effect, and it stipulates in its first and second articles that “a department called the Prisons Administration is established in the Ministry of Justice that is directly linked to the Minister of Justice and the administration is headed by an employee with the rank of director appointed upon the proposal of the Minister of Justice;” Prisons remained under the control of the Ministries of Interior and Defense, due to the failure to implement the provisions of Decree 15;
128. The Ministry of Defense manages a number of prisons based on the text of Decree 6236 of 1995, and it defines how laws and regulations are applied to persons who are arrested and imprisoned by the military judiciary, as well as the duties and powers of prison directors and the rules and principles followed for managing and caring for prisoners, and they are subject to military courts of a character extraordinary;

129. Prisons administered by the Ministry of the Interior, subject to the authority of the Minister of Interior, according to Decree 14310 of 1949, and divided into two parts: central prisons and district prisons, Roumieh Central Prison for adult men and minors belongs to the Internal Security Forces, and Baabda Prison for Women and Dahr El Bashiq Prison for Minors are under the administration of Roumieh Prison, and there are 19 other prisons in different regions of Lebanon that are affiliated with the Internal Security Forces;
130. Governors - according to Decree 14310 - are charged with monitoring prisons and detention places in their areas, and visiting them in person once a month, and they are responsible for implementing the relevant laws and regulations, conducting investigations in the event that they are informed of the occurrence of any defect or abuse, and proposing measures or penalties to the Minister of Interior, in charge it also has to take necessary actions;
131. Article 15 of the decree states that “the public prosecutor of appeal, his representative, or the judge delegated by the Minister of Justice for this purpose, and the public prosecutors of the first instance courts and conciliation rulers, except for those who are in the first instance courts - have the right to monitor all state prisons with regard to the legality of detention and release, and they can when they visit prisons to request access to the prisoner record, the convicted record, and the record of those under the isolation system;
132. The Syrian detainee’s cycle often passes through a phase that they call (the ministry), to which they are presented before being referred to the judiciary, and they are subjected to the same violations in this phase; Nineteen-year-old Tariq told us in his testimony “during interrogation in the so-called ministry, the

judge expelled me saying (you have nothing to complain about) despite the scars on my skin due to burning me by cigarettes and melting plastic bags on my skin; He asked me did you say that in interrogation? I told him that these confessions taken me forcibly by torture; He said: torture is normal in this place and beating and torture here are more than in Ablah prison; He told me to rest for two hours, then at evening they called me to go out, and they were calling me 36 ”

D- Individual criminal responsibility of the officers and leaders

133. The acts described above amount to crimes against humanity committed for racist reasons against Syrians, by both the perpetrators and partners, who implement the orders, and their military and civilian leaders;
134. In the National Commission on Detainees and Missing Persons, we maintain a list of names of a number of officers and officers most likely to be involved in the grave violations listed above, and we commit ourselves not to publish it until the case is considered by a competent impartial body; Likewise, we keep a list of the names of a number of judges who have examined cases in procedures that are likely to be unfair, and we are discussing the mechanism for their participation in accordance with the law with the competent authorities;
135. Military commanders are responsible for monitoring their subordinates and taking the necessary prior measures to prevent human rights violations during the performance of their

duties, to conduct effective investigations and to refer to fair accountability in cases of abuse;

136. Civil leaders are responsible for violations within their mandate in cases of certain knowledge - confirmed in the messages received by them, in official and private statements, and in human rights and media reports published;
137. The frequent testimony of witnesses and victims confirms the wide spread and recurrence of the patterns of violations occurring, which say that these violations are intentional, given the absence of positive action by the military and civilian leaders to take the necessary measures to prevent their occurrence or to stop them and to hold those responsible accountable;
138. Commanders have a responsibility to control their subordinates and ensure that they respect international law;
139. Responsibility in managing, supervising and controlling prisons is divided among a number of military and civilian leaders - successive in Lebanon - such as directors and their subordinates, heads of public security and military intelligence departments, heads of branches and departments concerned, governors, the ministers of justice, interior, defense and health, heads of successive governments, and the President of the Lebanese Republic in addition to the responsibility of the judicial authority responsible for supervising prisons;
140. There are reasonable grounds to believe that the responsible directors in prisons, departments and investigation centers, and their military and civilian leaderships, are individually criminally responsible for the crimes committed;

141. The responsibility for civilian leaders, the actual or legal hierarchy between them and the perpetrators, and the certainty of knowledge, with effective control, accompanied by laxity in taking the necessary measures to prevent and punish violations;
142. Whereas the responsibility of military commanders appears to be more extensive and according to the Additional Protocol to the Geneva Convention in terms of considering military commanders individually responsible for criminal or disciplinary actions of their subordinates if they knew about them or could have known about them;
143. On the Amnesty International website, Lynn Maalouf, Director of Middle East Research, said on the topic [“The horrific accounts of torture in detention centers across Lebanon firmly remind us of the urgent need to address such ongoing violations, including the eradication of the widespread impunity, which is an atmosphere that allows these violations to continue; and the Lebanese authorities must ensure that the undertakings that are legally binding on Lebanon are turned into concrete actions and as an immediate step, the government should issue a decree to activate the national mechanism for the prevention of torture”](#)
144. Starting in 2011, the Ministry of Defense in Lebanon headed by (Fayez Ghosn, Samir Moqbel, Ya'arab Al-Sarraf, Elias Abu Saab) and the Ministry of Interior by (Marwan Charbel, Nihad Machnouk, Raya Al-Hassan) and the army leadership by (Jean Kahwaji, Joseph Aoun) and the General Security Department by Abbas Ibrahim from 2011 until now, and the General Directorate of the Internal Security Forces (Ibrahim Basbous, Imad Othman) Brigadier Tony Mansour,

Commander of the Lebanese Army, according to the latest appointments reached in 2017;

145. The Lebanese Army is an institution within the Ministry of Defense, under the authority of the Minister, and the Intelligence Directorate is linked to it in accordance with the amended Articles 28, 15 and 16 of the National Defense Law and Article 4 of Decree 3771 of 1981;
146. The Internal Intelligence Branch in Lebanon includes a number of offices and branches such as (the National Security Branch - the Tactical Security Branch - the Strategic Security Branch - the Counter-Terrorism and Espionage Branch - the Investigation Branch - the Analysis Branch - the Archives Branch - the Public Relations Branch - Beirut Intelligence Branch - the Mount Lebanon Intelligence Branch - South Intelligence Branch - General Studies Office - Suburb Security Office - Universities Security Office - Port Security Service);
147. Racist statements by officials in the Lebanese government suggest criminal participation or incitement to the above-mentioned violations;
148. Analyzing and measuring past facts on the provisions of international humanitarian law, international human rights law, international refugee law, the constitution and national laws in Lebanon, it is likely that a number of political and military leaders in the Lebanese Republic are responsible for criminal violations that amount to crimes against humanity;

149. Detention without a judicial permission, continued incommunicado detention, and failure to follow the conditions of a fair trial, including considering the accused innocent until proven guilty, transforming from repeated cases into a phenomenon likely to be considered a systematic policy adopted in dealing with Syrians in Lebanon;
150. In their rulings, the judges ignore the fact that the confessions were taken by torture, and that the arrest did not pass through legal procedures, and they fail to initiate investigations with the perpetrators, and this constitutes a cover for those involved in their continuing violations;

E- The role of Hezbollah / a state within the state

151. Detainees in the security branches controlled by Hezbollah are subjected to systematic beatings and torture by various means, such as hanging from hands, insults, electrocuting prisoners, or launching dogs to frighten them inside the solitary cell;
152. The involvement of Hezbollah and some apparatus of authority, in exposing the refugees to death, through the forcible transfer of some Syrian prisoners, who were originally arrested for their political views against the Syrian regime, to the Syrian territories and hand them over to the Syrian security authorities, according to the special testimonies kept with us; (two cases in attachments)
153. The Lebanese state remained silent regarding the behaviors of some of its members and militias, and their involvement with Hezbollah in the above-mentioned crimes that are described as crimes against humanity;

154. Given the role and membership of Hezbollah in Parliament and the Lebanese government, the Lebanese state bears legal responsibility for the violations against Syrians and bears the legal responsibility to protect the refugees on its territory, and those detained in its prisons;
155. Hezbollah infiltrated the Lebanese security and intelligence services in the mid-nineties, and after the Syrian regime’s army left Lebanon in 2005, the party extended its control over many sectors within a tight alliance with the Assad regime and Iran, with the aim of emptying the withdrawal from its goals and continuing the regime’s control over Lebanon;
156. The Internal Security Agency resisted this control, and during that time, Wissam Al-Hassan, Director of the Information Branch, was assassinated in 2012, after he uncovered secret communications and delivery of money and weapons between official Lebanese figures and the Assad regime;
157. During ten years - beginning with the events of the Syrian revolution in 2011 - the Lebanese army remained silent on the movement of forces and weapons of the Hezbollah between Syria and Lebanon, and, furthermore, the Lebanese army launched violent campaigns against Syrian refugees more than once, violating human rights;
158. In addition to the widespread influence of Hezbollah on official prisons in Lebanon, it has established secret prisons and security units to detain its members or opponents from outside the party, in which they practice psychological and physical torture;

159. Among the secret prisons of Hezbollah (the central prison in Haret Hreik - Bir al-Abed prison, which has an investigation center in addition to the prison - the investigation center near the Al-Qaim compound on the seventh floor - a prison near the Sayyida Zainab complex - Al-Mojtaba complex prison) in addition to the security unit 900 in which Hezbollah detain those kidnapped by it; According to multiple sources;
160. In addition to Hezbollah's secret prisons inside Syria, including two central prisons belonging to it in the Qara area in Qalamoun, near the Sayyida Zainab area in Damascus, and a prison in Tal Kalakh called the (Black Hole), in addition to other prisons in the countryside of Homs, the countryside of Damascus, and the Amal farms in Quneitra and Al-Sanamayn;
161. Despite Hezbollah's domination on a number of official courts in Lebanon, it created its own judicial apparatus that illegally tries detainees referred to it from its units, and these courts do not consider the cases of those who are kidnapped from the opponents or whom they consider collaborating with the enemy, they are investigated by masked men, and detainees remain in a state of enforced disappearance for many years, during which many of them die;
162. Detentions within secret prisons, according to Lebanese law, fall under the concept of crimes of kidnapping or deprivation of liberty; Article 569 of the Penal Code punishes them with life with hard labor, and the punishment may reach the death penalty if the kidnapped person dies as a result of detention; Article 401 of the Criminal Procedures prohibits the use of any prison except after it is legislated and clearly defined by a decree issued by the Council of Ministers;

Six - Recommendations

163. The Commission approaches recommendations regarding Syrian detainees in Lebanon, in line with the strategy proposed by it in the issue of detainees in general, and is based on highlighting the detainees' file as a priority in the Syrian and international arena, to achieve the following four objectives:

- Releasing detainees, clarifying the fate of the missing, and handing over the bodies of the victims;
- Redressing the detainees, survivors, and their families, and providing reparation for them;
- Accountability of those responsible for the violations committed against detainees;
- Combating the phenomena of arbitrary detention, enforced disappearance, torture and liquidation, and preventing their recurrence;

164. The files of the Syrian detainees in Lebanon are part of the Syrian issue, due to the unity of the parties and the motives; This requires that they be included in the mandate of the International Commissions of Inquiry in the Syrian Arab Republic, in addition to other approved mechanisms;

Accordingly, the report concluded with the following recommendations for both the Lebanese and international parties:

165. **To the government of the Lebanese Republic**

1. Ensure commitment not to hand over any Syrians to the Assad regime authorities, hold those involved in this accountable, and hold responsibility for the safety of the handed persons;
2. Protecting the detainees' rights to life and human dignity, preventing them from being forcibly disappeared, torturing or ill-treating them, or treating them in a racist manner, and providing the necessary health care, good food, appropriate clothing, hygiene materials and other basic needs, in accordance with international standards;
3. Allowing specialized international organizations such as the International Committee of the Red Cross, the International Committee of the Red Crescent, the Committee against Torture, and the High Commissioner for Human Rights, full and unrestricted access to all official and temporary prisons and detention centers;
4. Ensuring effective supervision of prisons and detention centers by the competent Lebanese authorities, such as governors, judges, and joint medical committees, and announcing the plan and results of that on the official websites of the government,
5. Considering Hezbollah's creation of prisons and special courts as an assault on the sovereignty of the Lebanese state and a flagrant violation of Lebanese and international law, and taking effective measures to close them, release detainees there, reveal the fate of the missing inside it, and hold accountable those involved;
6. Announcing all lists of detainees and ensuring that they communicate with their families and lawyers at all stages of the investigation, arrest and trial, and a commitment to expedite litigation procedures, respect the presumption of

- innocence, and protect witnesses and families, as part of a package of practical measures to reform the judiciary;
7. Immediately release children, elderly, and sick people with a guarantee of their place of residence, complete the period of their imprisonment by restricting and monitoring their movement, and the participation of the International Committee of the Red Cross in organizing lists of detainees covered by this;
 8. Assigning an independent committee of academics, specialized experts, and representatives of independent human rights organizations to conduct a legal review of detainees' files, study the nature of prevailing procedures and behaviors, and evaluate political or racial motives;
 9. Immediately release those arrested arbitrarily and those whose statements were taken under torture or threats;
 10. Approving and issuing a general amnesty, in response to emergency humanitarian conditions during the spread of the Corona pandemic in prisons;
 11. Treating Syrians as refugees in accordance with international definitions, adhering to the historic New York Declaration for Refugees and Migrants for the year 2016, the Global Compact on Refugees for the year 2018, and the basic principle of non-refoulement, and with the requirements of that not to harass Syrians to push them to return;
 12. Spreading the culture of human rights in the Lebanese Ministries of Defense and Interior, promoting and protecting it, and holding the perpetrators of violations accountable, and providing redress for the victims;
 13. Activating Law No; 65 by issuing the decree necessary for the work of the National Commission for Human Rights, to ensure the establishment and activation of the role of the national mechanism for the prevention of torture;

14. Effectively submitting prisons to the administration of the Ministry of Justice, in accordance with the provisions of Articles 1 and 2 of Decree No; 15 of 1964, whose implementation is suspended from the issuance of the decree appointing the director of this administration;

166. To the Human Rights Council and the Commission

1. Refer the report for consideration as a complaint to be viewed by the Working Group on Communications, the Group on Arbitrary Detention, the Special Rapporteur on the prevention of torture and inhuman treatment, the Special Rapporteur on the promotion of truth, justice, reparation and ensuring non-repetition, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee Against Torture, the Subcommittee on Prevention of Torture, the Committee on the Rights of the Child and the Committee on Enforced Disappearance;
2. Assigning the International Commission of Inquiry on the Syrian Arab Republic and the International, Impartial and Independent Mechanism, considering the files of Syrian detainees in Lebanon as part of its mandate, for the unity of the motives, perpetrators and victims, and for being ongoing crimes that extended from Syria to Lebanon;
3. Inclusion of the report’s content in the universal periodic review and in the Council’s decisions to assess the human rights situation in the Lebanese Republic;

167. To the United Nations General Assembly

1. Condemning the grave violations committed by the Lebanese authorities against the Syrian detainees there;
2. Announcing a comprehensive plan that includes a package of effective and time-bound measures to redress Syrian victims and protect their rights;
3. Providing the necessary financial support to the competent organizations in order to take care of detainees, released persons and their families, and to provide health care, psychological, health and living support in order to preserve their dignity and protect their rights;

168. To the Security Council

1. Implement all decisions issued by the Council to release arbitrarily detained persons, including prisons and detention centers in Lebanon, due to the unity of parties and motives;
2. Take effective measures to prevent the extradition of Syrians, in all their cases, to the authorities of the Syrian regime, and to guarantee saving lives and preventing torture and disappearance in Syrian and Lebanese prisons;
3. Take measures under Chapter Seven to compel Hezbollah to close its secret prisons, reveal the fate of its abductees, and release them;

169. To the International Community

1. Any assistance to the Lebanese government must include conditions that guarantee its commitment to respect the rights of Syrians who are refugees on its territory or who are detained in it in particular, and human rights in general;
2. Activating the comprehensive jurisdiction in the national courts of the countries of the world to prosecute the perpetrators of grave violations committed against Syrians by official or unofficial officials or leaders in Lebanon;
3. Pay attention to the release of the Syrian detainees in Lebanon, and to use the influence of the countries concerned with that, such as the International Team for Supporting Syria referred to in Security Council Resolution 2254, and the working group formed in Astana to release detainees, uncover the fate of the missing and hand over the bodies of the victims;
4. Support the efforts of the International Committee of the Red Cross, the High Commissioner for Refugees, and the Office of the High Commissioner for Human Rights, in order to achieve their relevant goals in general and meet the Syrians to uncover their fate and secure the necessary communication between them and their families in particular,
5. Ask for WHO supervision on health care mechanisms in Lebanese prisons and detention centers and ensuring compliance with international standards;
6. Supporting civil society organizations to provide legal support and assistance to prisoners and their families, in particular, and refugees in general;

Seven – Acknowledgments

170. To witnesses including victims and their families, their lawyers, and all human rights defenders in Lebanon and the whole world;

Eighth – Notice

171. The names of the witnesses are written in the report in pseudonyms; Their real names and original documents are kept in our documents, to deal with them in accordance with the legal mechanisms to support available efforts in fairness and accountability;

172. As much as we could, we have documented a list of the names of those accused of violations; we did not announce any of them in the report - and we are looking into a feasible legal mechanism to share with the parties concerned, in a way that contributes to preventing impunity;

Nine – Attachments

173. The testimonies of witnesses, their analysis, and copies of what has been accessed from investigation records and judgment decisions, and the exchanged letters exceed 150 pages with the published report, some of which we referred to above in this report;