

LEBANON

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This report on detention and the Lebanese criminal justice sector, is submitted by the following NGOs:

ALEF act for human rights (ALEF)

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Association for Justice and Mercy (AJEM)

Proud Lebanon

Restart Center for rehabilitation of victims of violence and torture

(See Annex 1 for more details)

This submission is presented for consideration as part of the Universal Periodic Review Stakeholder Report. It includes a summary of the human rights conditions in Lebanon along with recommendations on how the Lebanese government can improve these conditions and put an end to violations.

I. Executive Summary

In Lebanon, prisons and detention centers are chronically overcrowded. The World Prison Brief ranks the Lebanese prison and detention system as the 34 most overcrowded in the world. Severe overcrowding in prisons and detention centers has resulted in conditions that pose a significant threat to the health, safety, and dignity of detainees. Only Roumieh prison out of 24 detention centers was purposefully built for detention, partly explaining why detention centers fail to meet the United Nations Minimum Standards Rules for the Treatment of Prisoners (Nelson Mandela Rules).

The overcrowding level is especially ill suited to safeguard detainees during the COVID-19 pandemic and poses a significant public health problem.⁵ In several detention centers, detainees are forced to rely on family members for adequate food and medical assistance. The consequence of such extreme overcrowding in some prisons and detention centers are conditions that could qualify as ‘degrading, and inhumane’ as laid down under Article 16(1) of the Convention Against Torture (CAT).

The single biggest cause of prison overcrowding is the excessive rate and length of pretrial detention: In January 2020, 54.74% of the detention population was held in pretrial detention. Its overapplication in Lebanon points to its use as a default measure, undermining the presumption of innocence. Most disturbingly, excessive pretrial detention significantly increases the risk of torture within the criminal justice system. A system which prioritizes the detention of suspects before trial creates a perverse incentive for police officers to extract confessions through torture. That is why torture is most likely to occur at the initial stage of detention, usually in the first days of police custody.

II. Progress on UPR 2nd Cycle recommendations: Prohibition of Torture

1. In reference to the Convention Against Torture that Lebanon has ratified in October 2000, the State of Lebanon has adopted the amendment of the Lebanese Penal Code Article 401 to criminalize the act of Torture in October, 2017.
2. The new Law 65) fails to comply with the norms of the CAT and neglects concerns raised by the UN Committee against Torture in April 2017 and the 2nd cycle of the UPR in what relates to excluding ill-treatment from the definition of torture. It denotes the act of torture committed solely “during the initial investigation, judicial investigation and trials”. This definition limits the circumstances in which torture might be practiced, and the law does not address the jurisdiction of military courts over cases of torture involving state agents.
3. Under law 65, acts of torture can be subject to statutes of limitation, and judicial proceedings can only be initiated within a three to ten-year period after the victim has been released from prison, varying in length depending on the gravity of the act. As for the penalties of torture, they do not equate the severity of the action. Moreover, Law 65 should criminalize any attempt to commit torture, and any act by any person which constitutes complicity or participation in torture to be in accordance with Article 4 of the UNCAT. Furthermore, this law focuses on criminalization of torture part and lacks articles that feature the prevention of torture.

4. After several discussions with concerned parties, it was clear that this law triggered ambiguity among Judges and General prosecutors who affirmed that applying it deems debatable especially in what concerns jurisdictions of military courts over cases of torture involving state agents, and the punishment systems within the National Security Institutions.
5. Whereas various gaps have been identified in hindering efforts to prevent and criminalize torture, the Lebanese legislation lacks an anti-torture act that prevents torture in the country especially in what related to the right of rehabilitation and redress according to the General Comments No. 3.
6. Further, the LGBTIQ+ community members are among the ones suffering from ill-treatment during detention committed by security forces due to the implementation of an outdated penal code 534 that states *“any carnal union against the order of nature shall be punished with imprisonment for up to one year.”*
7. In addition, LGBTIQ+ individuals are systematically subjected to HIV and Drug testing on arrival at the morality police station. Generally, HIV individuals are separated from the rest of the inmates in case they are HIV positive and mainly kept at the blue building once transferred to Roumieh prison.
8. Several political parties and MPs cooperated with Proud Lebanon to issue a draft of a proposal to amend article 534 of the Lebanese penal law, such as Al Kataeb, Lebanese Forces, the Progressive Socialist Party and Paula Yacoubian. The law draft was not put forward since Proud Lebanon was advised that it was not the time to submit such proposition.
9. Article 47 of the Lebanese Penal Code provides procedural safeguards that are supposed to protect arrested people within the framework of preliminary investigations. It consists of the right of detainees to be informed of their rights including the right to access a lawyer of their own choosing, to receive the assistance of an interpreter, and the right to request for a medical examination by a physician.
10. This Article is controversial since part of the law enforcement personnel in Lebanon consider that the law does not stipulate the right of the detainee to have a lawyer attending the preliminary investigation before the judicial officer, and that he is only allowed to see a lawyer.
11. As for the right to receive medical examination, in reality, a forensic doctor is appointed to examine the suspect, if requested by the detainee himself or by his family members, while the law indicates that the detainee has the right to be examined by a “doctor” without specifying its specialty.

III. Progress on UPR 2nd Cycle recommendations: Fair Trial

12. Despite the passage of Law 65, there has been little progress on investigation and prosecution of allegations of torture. There have been no convictions or prosecutions under the new law.
13. Prosecutors have failed to prosecute several high-profile cases of torture, including those of Ziad Itani and Hassan Dika. Dika died in 2019 as a result of injuries sustained during his interrogation; his death led the UN High Commissioner for Human Rights to urge Lebanon to prosecute those responsible. So far, no one has been charged for his death.
14. Allegations of torture are routinely ignored by judges at trial, despite the legal requirement to exclude evidence obtained under torture. In a survey of ninety-two detainees, fifty-nine reported torture or ill-treatment (64%). Of these, only twenty-six reported their experiences to the judge at trial. Only two judges took action on the allegations; this failure of accountability may partially explain the low rate of reporting.
15. Experts also note that allegations of torture are often dealt with at sentencing, with evidence that the accused was tortured being used as a mitigating factor rather than resulting in the dismissal of charges, exclusion of evidence, or opening of a criminal investigation into the alleged torture.
16. There is some progress from the part of security institutions. The Internal Security Forces have implemented codes of conduct to guide their work. They have also partnered with civil society to provide human rights training to their officers.
17. However, these efforts have not yielded consistent changes in behavior. Key protection measures have not been implemented. Most crucially, the rights to counsel, to contact a family member, and to be examined by a doctor—though protected in Lebanese law—are ubiquitously denied.
18. Further, detainees also state that they cannot report torture due to a lack of protective measures for victims. Prisoners are escorted to courtrooms by the same guards who perpetrate torture, placing them at risk if they report mistreatment to the judge.
19. In addition to the systematic issues, police and prosecutors' offices are also under-resourced, leading investigators to rely heavily on confessional evidence to obtain convictions and routinely employing coercive tactics to elicit these confessions.
20. This is applicable as well on the LGBTIQ+ community, where anal tests are sometimes used and remain a tortuous action LGBTIQ+ individuals face during detention under article 534 of the Lebanese penal code. Effectively, detainees have the right to refuse to undergo such tests but

are left no choice when detained.

21. LGBTIQ+ individuals are often detained for long periods of time without having any legal justification for their detention. In addition to the inhumane and horrendous conditions they face, they also deal with humiliation from law enforcement personnel and other inmates, which sometimes lead to bullying, abuse, and rape.

IV. Progress on UPR 2nd Cycle recommendations: Juveniles

22. Lebanon has made no progress on raising the age of criminal responsibility. Children are regularly detained in the same facilities as adults.
23. Corporal punishment is still widespread in Lebanese schools despite a formal ban. Numerous cases of abuse by school staff were reported in 2019 and the Ministry of Education did not refer any of the documented cases for criminal investigation.
24. However, the Ministry has issued a policy reiterating the ban on corporal punishment and outlining steps to protect children in school, which should be implemented this year.
25. Lebanon passed a domestic violence law in 2014, which criminalized some forms of child abuse. However, provisions in Lebanese law continue to excuse some forms of corporal punishment, including “non-harmful disciplinary beating,” within “what is culturally acceptable.” Article 186 of the Lebanese Penal Code also states: “The law permits the types of discipline inflicted on children by their parents and teachers as sanctioned by general custom.

V. Progress on UPR 2nd Cycle recommendations: Military Tribunal

26. Civilians, including children, continue to be referred to Lebanon’s military tribunal, due in part to its ill-defined jurisdiction.
27. In the last year, the tribunal has handed down sentences including prison time for social media posts critical of security agencies.
28. The military tribunal has also taken jurisdiction over alleged human rights abuses by security forces against civilians, which international standards suggest should be handled in civilian courts.
29. The International Commission of Jurists assessed Lebanon’s use of military tribunals as failing to conform to international standards on the right to fair trial in numerous ways.

VI. Progress on UPR 2nd Cycle recommendations: Detention

- 30.** On 7 March 2019, Lebanon's Council of Ministers appointed the first 5 members of the NPM. This was after a law was passed on 19 October 2016 establishing the National Human Rights Institute which will host the NPM.
- 31.** To this extent Parliament has not ratified a budget for the NHRI or the NPM. This means that the NPM does not have the necessary resources to effectively conduct its operations. As a consequence, the NPM has not started to conduct regular visits to places of detention to protect against torture and cruel, degrading, and inhumane treatment. Therefore, Lebanon has still not implemented in full the Optional Protocol to the Convention Against Torture.

Unlimited on remand detention continues, in accordance with Article 108 of the Code of Criminal Procedure, to apply for suspects accused of homicide, felonies involving drugs and attacks against State security, felonies which represent a global danger and offences of terrorism, and detained persons with a previous criminal conviction.

- 32.** In addition, legal deadlines prescribing when a suspect should be brought before a judge continue to be routinely violated. Many suspects are held in extra court holding cells until their trial and foreigners are regularly held in indefinite detention, also violating the prohibition on discrimination under the UN Standard Minimum Rules for the Treatment of Prisoners.

VII. Progress on UPR 2nd Cycle recommendations: Death Penalty

- 33.** The death penalty is still legal in Lebanon, according to article 302 of the Penal Code. This sentence is left to the sole discretion of the judge.
- 34.** In practice, the latest executions date back to January 2004 since the Parliament signed a non-official moratorium on the death penalty.
- 35.** In September 2011, it voted in favor of an amendment to Law No. 463/2002 on the application of penalties, which created a legal status for those who are "sentenced to death without being executed." even though, Lebanon still has not signed the Second Optional Protocol to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) of 1989 that calls for the abolition of the capital punishment. Since then, Courts continued to hand down death sentences.
- 36.** During the 2015 Universal Periodic Review (UPR), several member States have issued

recommendations on the matter. Lebanon has been asked to ratify and implement the Second Optional Protocol to the ICCPR, aiming at the abolition of the death penalty.

37. Lebanon was also requested to establish a *de jure* moratorium in order to abolish death penalty and commute all death sentences, as provided by five resolutions adopted by the General Assembly of the United Nations, including the most recent resolution 69/186 of 18 December 2014.
38. Lebanon did not accept these recommendations, therefore, no steps have been taken in order to abolish the capital punishment. Courts continue to hand down death sentences even if no executions are carried out.

VIII. Progress on UPR 2nd Cycle recommendations: Enforced Disappearances

39. An estimated 17,000 Lebanese citizens forcibly disappeared during the civil war of 1975-90¹. The Syrian army, Israeli army, and other armed groups systematically used enforced disappearance as a tactic of war. Thousands of Lebanese disappeared during this period, and the fate of many remains unknown.
40. Even nowadays, individuals are still being detained *incommunicado* by Lebanese authority forces, which can be referred as kidnapping, in contradiction with the UN legal framework that firmly prohibits this kind of abduction.
41. As a UN member State that had enshrined the Universal Declaration of Human Rights in its preamble, Lebanon has to protect victims' families and their right to know the fate of the disappeared.
42. Accordingly, Lebanon has signed in 2007 the International Convention for the Protection of all Persons from Enforced Disappearances (ICPPED) that recognizes the rights of families to access information and to receive compensation. However, Lebanon has never ratified the ICPPED, even though it had accepted a recommendation in this way during the 2015 UPR cycle.
43. Lebanon has also accepted the recommendation of establishing a legal framework and a national commission of inquiry on missing persons. In this regard, Parliament has passed Law 105 on Missing and Forcibly Disappeared Persons on November 13, 2018. The text recognizes the family members' right to know (Art.2), to get informed (Art.3) and to be entitled to compensation (Art.5).
44. It also established the *National Commission for the Missing and Forcibly Disappeared* with the main goal of : « determining the fate and whereabouts of missing and forcibly disappeared

persons, regularly informing their families of the achievements and challenges faced during the process, and tracing remains and handing them over to family members in order to solve individual cases of persons who went missing or were forcibly disappeared. » (Art.26).

45. Although the ratification of the Law 105 represented a milestone for families, the Lebanese government has failed to implement the text in an efficient way, flouting thereby its own commitment.
46. The Council of Ministers has not, to this date, allocated the required appropriations to fund its budget and provisions. Also, the list of names was not published prior to the nomination. This creates a concern for the civil society organizations regarding the independence and effectiveness of the committee.
47. During the 2015 UPR, Lebanon was asked to fight effectively against the impunity of all ill treatments' perpetrators. Though the Lebanese State didn't accept this recommendation. Until today, cases of enforced disappearance are still ongoing.
48. In July 2018, the journalist Mohammad Awwad had been detained by General Security because of Facebook posts and articles that were critical about political authorities.
49. The risks of enforced disappearance also increase as a result of migration. In July 2017, the Lebanese army had conducted a raid on al-Nur and al-Qariya camps in Aarsal, arresting and detaining more than 350 persons, including children and elderly men.
50. The army forces did not state any reason for their arrests, did not provide information on where the detainees had been kept. Further, for some of them, the army did not inform the families of their deaths.

A. Persistent Challenges: Prohibition of Torture

1. From September 2017 until present, no Jurisdiction has been applied under law 65 that criminalizes torture in Lebanon (despite real evidence that were documented especially of two recognized cases of Hassan Al-Dika and Ziad Itani in addition to violations documented during the Lebanese protests that took place in the country since October 2019.)
2. Consequently, the challenges appear in many domains, notably in the actual practices taking place in the Governmental institutions specifically by the law enforcement personnel which are in contradiction with the law 65 and the article 47 of the Lebanese Penal Code.
3. Additionally, the transparency and independence of the judicial system requires further measurements so as to protect persons deprived of their liberty and preventing torture and ill-

treatment in Lebanon.

4. The remaining challenges reside in lacking an independent judicial system, an applicable anti-torture act that plays a dual role in preventing and criminalizing torture, and a culture that falsify the contradictory relation between the security system and Human Rights.
5. Although two amendments have been drafted regarding law 65 and Article 47 of the Lebanese Penal Code, members of the Lebanese Parliament are currently in the process of analyzing the amendments with the absence of the national consultations with civil society organizations.

B- Persistent Challenges: Fair Trial

6. As described above, the Lebanese Code of Criminal Procedure contains relatively robust protections. However, judicial and prosecutorial interpretation of these provisions sap them of significance.

7. Detainees are denied the right to counsel in the first hours of detention because prosecutors and police have interpreted the right to counsel to apply only to phases of the investigation in which the accused is brought before a judge.
8. The vast majority of torture and ill-treatment occurs in the first 24-48 hours of detention. The Office of the Public Prosecutor recently reaffirmed this distinction in the context of widespread public protests—and detention of protestors—in 2019. The distinction violates the spirit of Article 47 and the international consensus on the necessity of access to counsel to assure the right to fair trial.
9. Migrants and refugees face challenges to accessing fair trials. Despite laws requiring the provision of an interpreter if the accused does not speak Arabic, migrants frequently appear in court without interpreters.
10. Migrant domestic workers face hostility and dismissal by police when they seek accountability for mistreatment and may be subject to detention and deportation in case of expired legal residency.
11. Judiciary and police alike continue to resort to extra-judicial settlement of complaints and accusations, circumventing the rights of both the accused and victims to fair trial.
12. Arrests are frequently carried out without warrants (the latter are sometimes issued without legal grounding).
13. Charges ranging from defamation to threatening national security are routinely resolved by extracting extra-judicial pledges from the accused, such as promises not to post on social media for an arbitrary amount of time, forcing the accused to remove online material, or summoning suspects for interrogation—and intimidation—at police stations.
14. Intimidation and harassment are also used to deal with allegations of homosexual activity. Police may subject detainees to sexual violation and torture under the guise of investigation, and often search cellphones and other personal property without warrants.
15. Police have also pressured LGBTIQ+ activists to cancel public events without due process.
16. Finally, in the context of the widespread protests in 2019-2020, extra-judicial intimidation and punishment were widely used to quell dissent, up to and including excessive uses of force and torture.

C- Persistent Challenges: Overcrowding

- 17.** In August 2018, Lebanon had a prison occupancy rate of 138% with 6,614 detainees held in 23 detention centers designed to hold 4,800 detainees. This is a relatively conservative figure; the real figure is estimated at significantly higher.
- 18.** Prisons are dangerously overcrowded, with the prison population increasing since March 2014. One of the driving forces behind this increase in prisoners is the number of foreign nationals that have been detained; this has increased from 19% in 2010 to 27% in 2019. But the main factor behind prisons' overcrowding remains pretrial detention (explained further below).
- 19.** The overpopulation is also a result of several aspects such as miscommunication between court hearing officers, prisons and detention centers' managers; the number of cases that are exceeding the capacity which judges can handle, let alone the slow trial procedures; files are kept as well in the houses of judges while awaiting the judge's verdict, not to mention the miscommunication between the committee of the penal reduction and the general prosecution., in addition to delays in reducing sentences' procedures.
- 20.** The absence of attending the court hearing due to the disorganization of the transportation means provided to the detainee from the prison to the courthouse results in the delay of their legal procedures, and to rescheduling another court hearing.
- 21.** Rule 11 of the UN Standard Minimum Rules for the Treatment of Prisoners, which provides for the separation of categories of prisoners, is also not implemented. The only separation that occurs is between male and female prisoners, and juvenile and adult prisoners (Roumieh and Tripoli prisons do have a sperate wing for juvenile and adult prisoners.) There is though limited separation according to risk and crime committed. In Roumieh prison, there is a separate Block B for prisoners charged for terrorism related offences, whereas prisoners in Tripoli prison, prisoners mix freely.

D- Persistent Challenges: Pretrial Detention

- 22.** In 2017, 54.8% of the detention population was made up of pretrial detainees, in 2020, it stands at 54.74% (it then remained the same three years later).
- 23.** The length of time spent in pretrial detention varies greatly, however, around 25% of pretrial detainees were held for a period that did not exceed 1 month.
- 24.** Detainees in pretrial detention are often not provided recourse to challenge the legality of their detention and are not informed of their rights, particularly the legally prescribed deadlines for pretrial detention under Article 107 of the Code of Criminal Procedure.
- 25.** In addition, long judicial delays contribute to the excessive rate of pretrial detention as detainees are regularly not brought before an investigative judge within 24 hours. From 2010 to 2017 the shortage of judges went from 37% to 35%, while the caseload of judges has increased 35 – 40% since the Syria crisis.

26. The Prosecutor General has ordered each prison to be inspected monthly by prosecutors. However, there is a shortage of prosecutors to oversee pretrial detainees and adhere to the legal deadline of 24 hours to refer pretrial detainees to investigative judges. Another reason for the delay in the judicial process is the lack of available transport vehicles and drivers to bring suspects to court.
27. The large number of pretrial detainees is further exacerbated by limited legal aid provision which is under the mandate of the Beirut and Tripoli Bar Associations. An estimated 20 – 40 criminal cases per month involve a suspect unable to afford a lawyer or court fees. The consequences of this are suspects that are unable to enforce the legally prescribed deadlines under the Code of Criminal Procedure or suspects that are convicted on flimsy evidence.
28. A lack of alternatives to pretrial detention and illegitimate justifications for holding suspects in pretrial detention is one of the main reasons for excessive rate of pretrial detention. Moreover, Article 111 of the Code of Criminal Procedure lays down alternatives to detention, however, these are regularly not used in practice.

E- Persistent Challenges: Access to Detention

29. Certain buildings in Roumieh prison, in particular Blocs B and D are not easily accessed for NGOs staff and service providers. Hosting islamists' detainees, NGO staff are confronted with challenging situations while trying to enter the premises.
30. Currently, no organization is allowed to enter Bloc B. However, accessing Bloc D depends the security forces' green light which they rarely give due to "security reasons." Which means access to these Blocs is always uncertain and depends on the security officer in charge of the building.
31. The access provided to humanitarian organizations by the Internal Security Forces is only to access prison facilities. Therefore, organizations don't have access to courthouse's detention centers and police stations where most of ill-treatment, inhuman and degrading conditions of detentions are found.
32. Further, humanitarian organizations still do not have access to detention facilities managed by the Lebanese Armed Forces (LAF).
33. Following the talks on a possible amnesty in 2019-2020, several riots were organized by detainees in Roumieh prison. However, organizations were not allowed to access the premises for days for despite having inmates resorting to self-harm which led to the death of one detainee.

F- Persistent Challenges: Detention Conditions

33. In Roumieh's prison, Lebanon's biggest detention facility, meals are provided only twice a day (in the morning and at lunchtime).
34. Further, there is still much to be done in terms of taking into consideration the necessity of having nutritious diets for older inmates or the ones with specific health conditions such as

hypertensive and diabetic inmate.

35. Water in places of detention is usually not clean, in addition to the lack of hot water and not enough showers to cover the needs of the number of detainees.
36. Further, high humidity level, insufficient sunlight, and extreme temperatures in prison cells in summer pose a threat to inmates, especially in high temperatures during summer days.
37. Decent medical care is also not provided. Most detention centers do not possess a medical ward or room and rely on inmates' families and humanitarian organizations to get medical assistance (medicine, material and equipment). The medical need is not covered by the government in all detention places.

G- Persistent Challenges: Rehabilitation

38. The Lebanese authorities do not provide any sort of rehabilitation program to detainees.
39. Further, during their detention period, detainees highly depend on humanitarian organizations for vocational and spiritual activities.

H- Persistent Challenges: Enforced Disappearance

40. Even though the National Commission for the Missing and Forcibly Disappeared has been created in accordance with previous UPR recommendations, several issues hinder its operation.
41. Whereas Art.11 establishes multiple criteria for selecting the commissioners as having high moral standing, integrity, independence and expertise, Law 105 does not provide the obligation for a transparent, public and inclusive process. Accordingly, this does not allow the Commission to earn the public's confidence nor does it involve all relevant stakeholders which could lead to jeopardizing its legitimacy and credibility in the future.
42. As mentioned above, the concrete Commission's operating is hindered by a lack of budget and the absence of officially nominated commissioners.
43. Law 105 remains vague on several practical points. For instance, the way in which the Commission will coordinate with the judicial or executive bodies remains unclear. In particular, it will have to tackle the fact that these institutions are used to prosecute criminal investigations and not researches for the disappeared.
44. Even if the text mentions the creation of a subcommittee in charge of the bodies exhumation, the concrete procedure and actors at stake remain unclear. The Law provides the Commission's obligation to release critical information to the victims' families, but the latter don't know yet how they will be involved in the process. Finally, the Law fails to establish punitive provisions if stakeholders refuse to collaborate and cover information up.

I- Recommendations

- 1) Adopt a comprehensive anti-torture law in full compliance with the UN Convention against Torture with a specific focus on ensuring an appropriate definition, eliminating statutes of limitation, and providing adequate reparations to victims.
- 2) Amend Article 47 of the penal code in order to guarantee the fundamental legal safeguards during the first period of arrest including the presence of a lawyer during investigation, a prompt medical examination respecting the secrecy of the consultation, to have access to an interpreter if needed, and the respect of the judicial timeframe of arrest.
- 3) Activate the criminal legal aid system, through offering free of charge legal services for those who do not have sufficient means to pay for legal representation.
- 4) Stop arresting individuals without official accusations, which can lead to tortured during arrest, and also in order to decrease overcrowding inside detention facilities.
- 5) Investigate and prosecute all allegations of torture under Law 65.
- 6) Instruct and train police and prosecutors to focus on non-confessional evidence.
- 7) Revoke Circular 104 interpreting the right to counsel to attach only after the preliminary.
- 8) Interpret or amend Article 47 to unequivocally recognize a right to counsel from the moment of arrest through trial and appeal.
- 9) Ensure that evidence collected using torture or ill-treatment is excluded from trial, as required by Lebanese law.
- 10) Raise the age of criminal liability to 18, ensure that juveniles are always detained separately from adults, and eliminate the use of pre-trial detention for juveniles.
- 11) Prohibit corporal punishment in schools and by parents and enforce this prohibition
- 12) Eliminate the use of the military tribunal to try civilians and refer allegations of human rights abuses by security forces to civilian court.
- 13) Lebanon should ratify and implement the Second Optional Protocol to the ICCPR on the abolition of the death penalty.

- 14)** Lebanon should put an end to impunity and guarantee an effective and impartial application of the legislation and court rulings, through the formal judicial system.
- 15)** The search of the forcibly disappeared should be governed by a comprehensive and transparent public policy. The National Commission for the Missing and Forcibly Disappeared should deeply coordinate its work with international bodies, including taking into account the CED recommendations.
- 16)** The Commission should receive a proper budget in order to start its work without delay.
- 17)** The Commission should work closely with civil society, including victims' families and NGOs that work on this field, sharing all information that it can get in order to put the inquiries forward.
- 18)** The search for the disappeared persons should be conducted whilst respecting the dignity of victims and their families (awareness should be raised among public officials to guarantee the protection of victims and their families' rights regarding the right to know, to participate and to get compensation. In this respect, the process should also include psychosocial care and support for the families.
- 19)** The Commission should analyze the information collected and protect the gathered data which should not be disclosed in any circumstances.
- 20)** The Commission should ensure the accountability of actors covering-up crucial information.
- 21)** The search should consider the particular vulnerability of migrants and unaccompanied children, while adopting specific search mechanisms.
- 22)** The Lebanese State should follow and implement the guidelines provided by the ICPPED and monitored by the UN Committee on Enforced Disappearances (CED).
- 23)** Lebanese authorities should ensure that not any individual is currently detained incommunicado and must disclose the full and final findings of their investigation.
- 23.** Improve prisons' conditions by providing basic needs for detainees such as improved quality food (in addition to specific meals for ill detainees), and the minimum hygiene conditions especially (showers, environment (humidity, sunlight, etc.)
- 24.** A medical file should be filled as soon as an individual is sent to prison to collect information on his medical history and get the required care.
- 25.** Detainees should be provided with hygiene kits and clothes.

- 26.** Discrimination by prison personnel based on religion, gender or nationality should completely stopped.
- 27.** Ensure the right of education, training and rehabilitation inside all detention centers.
- 28.** Provide continuous training to the prisons' officials to end corruption, abuse, use of violence and power towards the incarcerated population.
- 29.** Provide the necessary financial resources to fully activate the National Preventive Mechanism to monitor detention facilities' conditions.
- 30.** Train law enforcement personnel working on sexual orientation and gender identity by implementing the "Towards the Effective Protection of LGBTIQ+ Persons Deprived of Liberty" prepared by the APT." to provide protection to vulnerable groups.