



TORTURE, AN ILLEGAL AND FAILING TOOL OF INTERROGATIONS

*A Documentation of the Use of Torture
During Interrogations in Lebanon*



RESEARCH REPORT
BY CLDH

2020-2021

TABLE OF CONTENT

| | |
|--|-----------|
| List of Abbreviations | 4 |
| List of Figures | 4 |
| Abstract | 5 |
| Introduction | 6 |
| Research Background | 6 |
| 1.1 Historical Background | 6 |
| 1.2 Legal Background | 6 |
| Research Objectives | 8 |
| 2.1 Main Objectives | 8 |
| 2.2 Cross-Cutting Issues | 8 |
| 2.3 The Research Questions | 9 |
| Literature Review | 9 |
| 3.1 Torture (from 1997 till 2020) | 9 |
| 3.2 Interrogations (Psychological Studies / Experiments) | 9 |
| Methodology | 15 |
| 4.2 Tool #1 - Online survey addressed to random participants residing in Lebanon | 15 |
| 4.3 Tool #2 - Interviews with victims of torture | 15 |
| 4.4 Tool #3 - Meeting with Key Informant (KI) | 15 |
| Discussion | 16 |
| 5.1 The investigative personnel, the reason behind the use of torture | 16 |
| 5.2 The victim, the reason behind torture's failure | 17 |
| 5.3 The society lacks awareness on torture | 19 |
| Conclusion / Recommendations | 22 |
| References | 25 |
| Conventions | 25 |
| Book | 25 |
| Reports | 25 |
| Websites | 25 |
| Others | 26 |

APPENDIX

| | |
|--|----|
| <i>Tool #1</i> - Online survey addressed to random participants residing in Lebanon | 26 |
| <i>Tool #2</i> - Interviews with victims of torture (questions only) | 30 |
| <i>Tool #3</i> - Interview with the Head of the Center of Human Rights in Internal Security Forces | 32 |
| <i>Tool #3</i> - Meeting with Key Informant (KI) | 34 |
| <i>Tool #3</i> - Meeting with Psychologist | 35 |

LIST OF ABBREVIATIONS

| | |
|-----------------|--|
| CLDH | Centre Libanais des Droits Humains |
| COVID-19 | CoronaVirus Disease |
| KI | Key Informant (past prison guard and holder of PHD in criminology) |
| ISF | Internal Security Forces (in Lebanon) |
| VoT | Victim of Torture |
| VoT (1) | The first victim of torture interviewed |
| VoT (2) | The second victim of torture interviewed (previous CLDH beneficiary) |
| VoT (3) | The third victim of torture interviewed (previous CLDH beneficiary) |
| VoT (4) | The fourth victim of torture interviewed (present CLDH beneficiary) |

LIST OF FIGURES

| | |
|------------------|---|
| Figure 1 | Evolution of Interrogation Methods in Lebanon |
| Figure 2 | Electric Shock Generator Switches in Milgram Experiment |
| Figure 3 | Illustration of Milgram Experiment Actors |
| Figure 4 | Real Photos Taken During Zimbardo Experiment |
| Figure 5 | Graph Extracted from CLDH Inception Study (2019) |
| Figure 6 | Question 12 of Interview with KI |
| Figure 7 | Data Responses of Question 8 of the Online Survey |
| Figure 8 | Data Responses of Question 9 of the Online Survey |
| Figure 9 | Data Responses of Question 18 of the Online Survey |
| Figure 10 | Data Responses of Question 12 of the Online Survey |
| Figure 11 | Data Responses of Question 11 of the Online Survey |
| Figure 12 | Illustration of the Pyramid of Maslow |

ABSTRACT

Despite the implementation of various international treaties and domestic laws, torture is still being inflicted during interrogations. This research paper aims to reveal the reasons behind such continuous practices in Lebanon, to prove its failure and provide adequate solutions as alternatives. The study is conducted through legal, psychological, social and criminological analysis.

The study develops theoretical information and adds practical support through interviews and a survey launched on January ,14 2021. Survey responses were accepted in a duration of one week (7 days). From the administered surveys we found that %71.5 of the respondents are not aware of the Lebanese Law 2017/65 on torture and %41.59 considered that torture should be used in certain cases. Futhermore all torture alligations filed have not been properly investigated by judges, except for the case of Hassan Al Dika which is moving unhurriedly. CLDH could not get on hold of any information of any accountability measures that have been taken on perpetrators.

The importance and relevance of the topic increase with the present challenges that Lebanon is facing: the economic crisis, the protests against the political authorities in power, the Beirut port blast, the spread of COVID19-, and the political context. We will discuss in this report how such challenges affect thè Lebanese investigators and from where their tendency to inflict torture rises.



Introduction

1. RESEARCH BACKGROUND

1.1 Historical Background

1.1.1 Torture comes from the Late Latin *tortura* meaning “twisting”, “distortion”. The Old French defines torture as “the infliction of great pain”¹. Torture has taken several shapes along the years around the world. It has shifted from being a legal tool for interrogation to becoming a prohibited illegal means violating human rights. In other words, torture used to be identified as a legal instrument implemented in evidentiary procedures to prove guilt or innocence, to find out the truth and to conclude the final judgement. The first legal application of torture can be found in “the Sumerian Code of Ur-Nammu and the Babylonian Code of Hammurabi”² which date back respectively to the 21st and the 18th century BC. Confessions obtained as a result of torture were considered irrevocable.

1.1.2 Historically, Cesare Beccaria was one of the first fighters seeking the abolishment of punishment, thus, torture, on equal grounds of innocence and guilt: “No man can be judged a criminal until he be found guilty (...). What right, then, but that of power, can authorize the punishment of a citizen, so long as there remains any doubt of his guilt? The dilemma is frequent. Either he is guilty, or not guilty. If guilty, he should only suffer the punishment ordained by the laws, and torture becomes useless as his confession is unnecessary. If he be not guilty, you torture the innocent; for, in the eye of the law, every man is innocent, whose crime has not been proved”³.

1.2 Legal Background

1.2.1 Torture is defined as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”⁴. Acts of torture “destroy the dignity of humans”, and make “the values and principles upon which democracy stands and any form of human coexistence lose their significance”⁵.

Torture was legally admitted especially in the treatment of “slaves”; but “its employment in practice soon breached legal limitations”⁶. Such practice induced the international society to implement the prohibition of torture. International law, in 1948, introduced this prohibition in the Universal Declaration of Human Rights: “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”⁷. This prohibition has been considered for several decades to be part of the international customary law, which makes it an unconditional ban and an “internationally recognized obligation for every State official, regardless whether his or her government has ratified any human rights instruments”⁸.

¹ Extracted from <https://www.etymonline.com/word/torture>, consulted on 2020-09-14.

² Extracted from <https://tortureum.com/history-of-torture/>, consulted on 2020-09-15.

³ Beccaria, C. (1764), *An Essay on Crimes and Punishments*.

⁴ *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (1984, art. 1, para.1).

⁵ *Ibid.*

⁶ Extracted from <https://tortureum.com/history-of-torture/>, consulted on 2021-03-15.

⁷ *Universal Declaration of Human Rights* (1948, art. 5); *International Covenant on Civil and Political Rights* (1976, art.7).

⁸ *Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, *Inter-American Institute of Human Rights*, 2005, P.11.

1.2.2 The State of Lebanon ratified these international treaties and should be held responsible under the international and/or constitutional law in case of any violation. Furthermore, Article 8 of the Lebanese Constitution stipulates the following: “The right to personal liberty shall be guaranteed and protected by law. No one may be arrested, imprisoned or detained except as provided for by law and no offence or penalty may be established other than by law”. In 2017, the Lebanese Law No 65 on the punishment of Torture and other cruel treatment (or punishment or inhumanity or degrading treatment) was promulgated. The second paragraph of the first article stipulates that “anyone who practices torture shall be liable to imprisonment”.

1.2.3 In addition, the Lebanese parliament recently passed the bill to amend article 47 of the Criminal Procedure Law giving the arrested the right to seek legal assistance (have a lawyer present) during the preliminary investigations⁹. This amendment is of great influence concerning torture, which is something we will address in the coming sections.

1.2.4 Lebanon is a State Party to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 4 of the Convention explicitly states the following: “1. Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture. 2. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature.”

1.2.5 Within the interrogations aspect, Major Rabih Ghosayni states: “it is not required from the investigator to take the right of the society in his hands. He is only required to collect the evidence and put it before the judge. The problem in Lebanon is that the investigator takes the role of the punisher. His role however is not to punish but to obtain evidence. If he couldn’t obtain evidence, torture is not the way. This is the culture we’re trying to abolish through our trainings”¹⁰.

1.2.6 Interrogation is defined as “the systematic questioning of an individual perceived by investigators as non-cooperative, within a custodial setting, for the purpose of obtaining reliable information in response to specific requirements”¹¹.

1.2.7 In Lebanon, the legal ground of interrogations resides in the Lebanese code of criminal procedure, particularly articles 74 to 84.

First, the defendant has the right to be informed of the charges pressed against him and of the evidence the investigating judge has at hand.

Second, the investigating judge should inform the defendant of his right to be assisted by a lawyer during the questioning. If the judge fails to do so, the interrogation is considered legally null. However, article 49 states that the public prosecutor should conduct the preliminary interrogation and that if he does, the suspect’s lawyer may be present. The police interpret this article in the sense that the suspect is allowed to have his lawyer present only when the interrogator is the public prosecutor. Very recently, article 47 was amended by the Lebanese parliament citing that the lawyer must be present with the suspect no matter where the questioning takes place or who the interrogator is.

In this regard, during an interview held with Major Ghosayni, Head of the Center of Human Rights in the Internal Security Forces, he was asked if this amendment reduces the use of torture during interrogations, and his response was the following: “Absolutely! This is something we have long sought. Not only it reduces the use of torture but the presence of the lawyer also protects the interrogator in cases where torture complaints are not true”¹².

⁹ *The Daily Star News “Parliament fails to pass general amnesty law, session postponed due to lack of quorum”, Failure in Passing General Amnesty Law, consulted on 2020-10-13.*

¹⁰ *Study 1# - Interview with the Head of the Center of Human Rights in the Internal Security Forces, question 11.*

¹¹ *Evans et al. 2010, P. 219.*

¹² *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1).*

Third, the lawyer has the right to make objections to the way the interrogation takes place and can object to breaches of the rules given by law (article 81 paragraph 1).

Fourth, the defendant has the right to remain silent during the interrogation and he should be able to make his statements without any external influence, according to article 77 of the Lebanese code of criminal procedure.

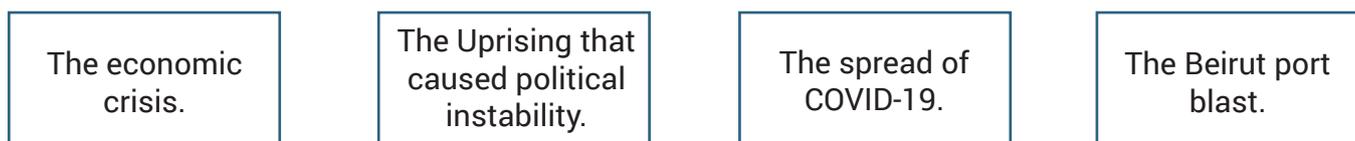
2. RESEARCH OBJECTIVES

2.1 Main Objectives

- Tracking the use of torture during interrogative sessions after the implementation of the Law (2017/65).
- Assessing the level of knowledge among the public in Lebanon and among Lebanese investigators regarding the use of torture and the Law (2017/65).
- Measuring the public's knowledge in presenting a formal complaint under Law (2017/65).
- Gathering information based on past researches and experiences concerning the training of investigators.
- Acknowledging the possibility of implementing alternative investigative measures in Lebanon.
- Emphasizing on the importance of this topic in light of present challenges (economic crisis, pandemic, political instability, etc.)
- Understanding the sanctions imposed on investigators that practice torture and assess how these sanctions can prevent torture in the future.

2.2 Cross-Cutting Issues

The timeliness of this topic is challenging with the current crises Lebanon faces:



The paper will focus on how such challenges affect the Lebanese investigators' attitude in regards to torture.

2.3 The Research Questions

- ▶ Is torture practiced individually by investigative personnel or is it instructed by higher officers?
- ▶ How informed are the investigative personnel about the Law (2017/65)?
- ▶ How informed is the society in Lebanon about the use of torture during interrogation?
- ▶ How informed is the society in Lebanon about the Law (2017/65)?
- ▶ Is more training needed on alternative investigative measures?
- ▶ How is the perpetrator of torture being held accountable?
- ▶ How does the Center of Human Rights in the Internal Security Forces prevent the use of torture?
- ▶ What training programs do investigators undergo in this context?

LITERATURE REVIEW

3.1 TORTURE (FROM 1997 TILL 2020)

3.1.1 In 1997, a report by SOLIDA revealed two stages of interrogations in the arbitrary detention that was happening in the basements of the Ministry of Defense.

The first stage is described as follows: Upon arrival, the prisoner is taken by a team of interrogators “the active team”. He is given a pencil and a paper and asked to write his history. Then, he is beaten and humiliated even if he tells the truth. Then he is left standing, eyes blindfolded and hands tied behind the back for a period that could reach 5 days.

As for the second stage, it consists of a second team of interrogators “the passive team” who will take charge of the detainee and try to convince him without brutality to recognize the facts presented to him. If he accepts, he goes to a room where he signs confession with eyes closed. If he refuses, he will be taken back and forth from a team to another until he signs whatever they want. At the end, he passes before the official interrogator to sign, blindfolded, his final statement written with appropriate legal terminology¹³.

3.1.2 Despite the provision of rights in the Lebanese code of criminal procedure, interrogation manners often violate human rights. For instance, in a report submitted by Human Rights Watch in 2013 regarding the ill-treatment and torture of vulnerable groups in Lebanese police stations, several testimonies of detainees were given. In particular, one detainee described his interrogation sessions as follows: “He hit me again so hard my eye split and I began bleeding. I begged him to stop hitting my face but this egged him on further and he hit me even harder. He forced me to sign a confession that I have sex with men, all the while hurling punches and abuse at me. He then made me take off all my clothes and looked at me, told me I’m a faggot, insulted me, threatened me”¹⁴.



¹³ SOLIDA (1997), *Arbitrary Detention in the Basements of the Ministry of Defense, Report*.

¹⁴ HRW (2013) “It’s Part of the Job”, *Ill-treatment and torture of vulnerable groups in Lebanese police stations*.

3.1.3 In the scope of a doctoral thesis published in 2016, interviews with inmates, police officers and lawyers and judges were conducted. The initial findings were the following: with prisoners' interviews, beatings, degrading treatment and forced signatures were the highlight of torture. With police officers and prison guards, there was a failure to state the rights of the detainees. With lawyers and judges, undeserving rights and no legal representation were mainly concluded¹⁵. Certain initial themes were grouped under the theme "Culture of Confession" and consisted of forced confessions, reliance on confessions, importance of confessions, etc¹⁶. Also, "the use of torture, whether mental or physical, was seen to increase during interrogations"¹⁷. The majority of the prison participants claimed that their confessions were forced and resulted from torture.

3.1.4 In 2019, CLDH conducted an inception study to assess the situation of torture in Lebanon after passing the Law No65. Upon 92 testimonies, victims of torture stated the reasons behind the infliction of torture against them: 5 inmates said they were tortured to denounce tiers, 50 to extract confessions and 4 for unidentified reasons¹⁸.

As for the type of torture inflicted, victims of torture said there we psychological as well as physical forms. Psychological torture has the most long-lasting consequences for victims; it includes "verbal abuses, isolation, threats, humiliation or witnessing the torture of others"¹⁹.

Whereas physical torture involves beating, food and water deprivation, electric shocks, *balanco*²⁰ and *farrouj*²¹. Also, sexual harassment is most common in cases of women detainees.

Another relevant information in the study was that 6 detainees stated they were forced to sign / give confessions²²: either they were not allowed to read the paper or they signed a blank paper.

In addition, 4 detainees explained how there were no medical records of their torture: some went to the hospital but no records of entry are present, others had their trials delayed so that their injuries healed and no evidence could be found.

3.1.5 Recently in March 2020, new methods of interrogations were implemented because of the spread of the COVID19-, in particular, the use of only tools to conduct the interrogation sessions. WhatsApp video call was used in the interrogation of a Syrian minor who had been arrested²³.

The methods used for interrogations have evolved in Lebanon throughout the years. It shifted according to the circumstances of war and peace, and newly, according to the pandemic.



15 Baz, S. (2016) *The Trajectory of Sex Offenders through the Lebanese Criminal Justice System: a Tale for Human Rights Violations*, P.139.

16 Evans et al. 2010, P.140.

17 Evans et al. 2010, P.150.

18 CLDH Report (July 2019 ,31), *An inception study on the Law aiming at punishing torture, Lebanon Torture Situation after Legislating law 2017/65*.

19 *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1)*

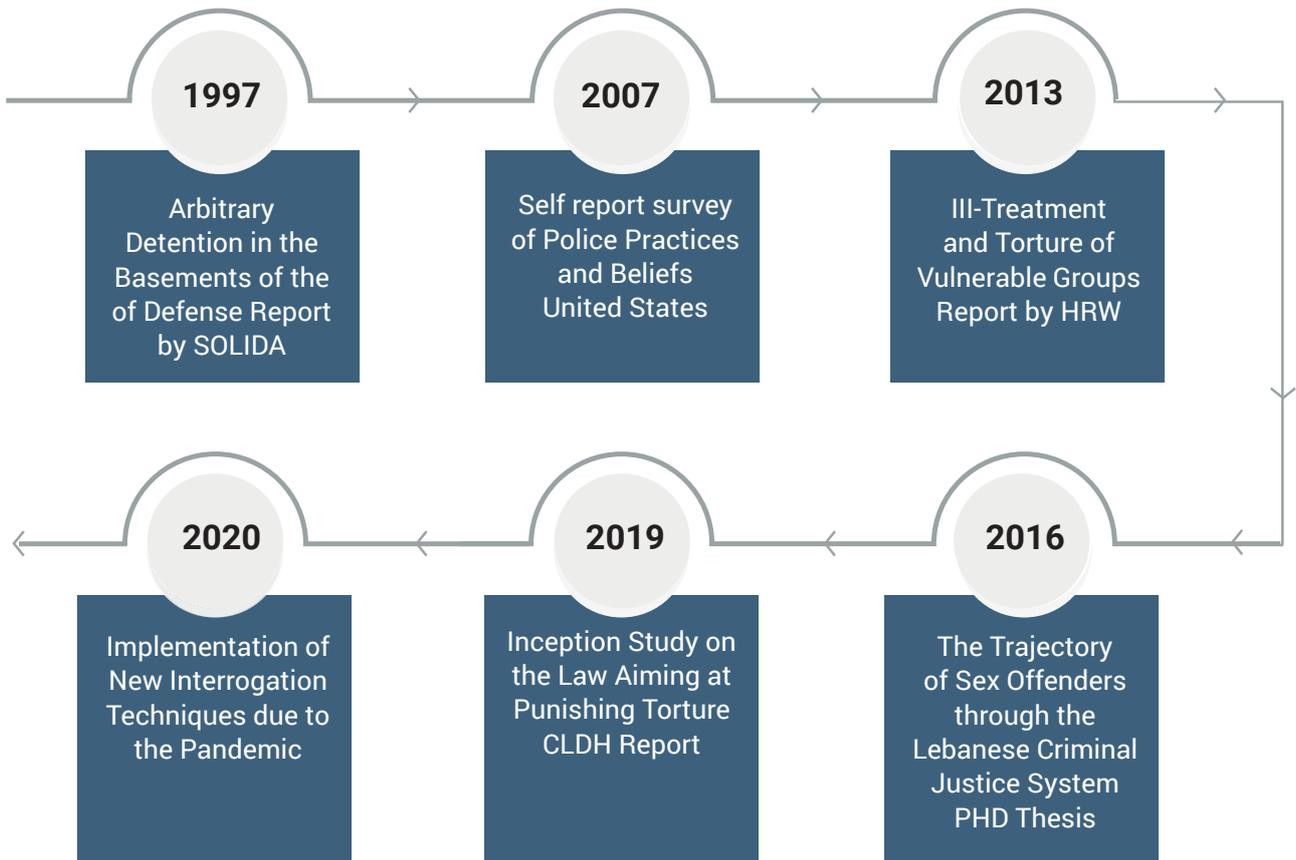
20 *Al-balanco position consists in hanging the individual by the wrists, which are tied behind the back.*

21 *Al-farrouj ("the chicken") is a torture technique in which the victim is suspended by the feet with hands tied together to an iron bar passed under the knees.*

22 *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984, art. 1, para.1)*

23 "Lebanon: Judges use WhatsApp to interrogate detainees amid coronavirus lockdown", <<https://www.middleeastmonitor.com/-/20200324/lebanon-judges-use-whatsapp-to-interrogate-detainees-amid-coronavirus-lockdown/>>, consulted on 2020-10-07.

Figure 1. Evolution of Interrogation Methods in Lebanon



3.2.1 Interrogation consists of an interaction between an interrogator (police officer, public prosecutor...) and a suspect. It is in studying the position of every interactor that the psychological aspect of interrogations is revealed.

3.2.2 On one hand, the interrogator is considered the “stronger” interactor who is in control and who initiates the dialogue. There are two experiments with psychological studies that are deemed relevant to this report.

3.2.3 The first experiment is the Milgram experiment conducted by Stanley Milgram, a psychologist at the Yale University. “He conducted an experiment focusing on the conflict between obedience to authority and personal conscience”²⁴. Milgram selected the participants for his experiment by newspaper inviting them to take part in a study of learning at Yale University. The procedure consisted of two types of participants: the learner and the teacher. A draw of lots would apparently reveal who gets to be which type of participant. But the draw was fixed so that the participant was always the teacher and the learner was pretending to be a real participant who is actually an actor working with Milgram. The teacher and the researcher goes to a room (next door to the room where the learner has electrodes attached to his arms) where there is an “electric shock generator and a row of switches marked from 15 volts (slight shock) to 375 volts (danger: severe shock) to 450 volts (XXX)”²⁵.



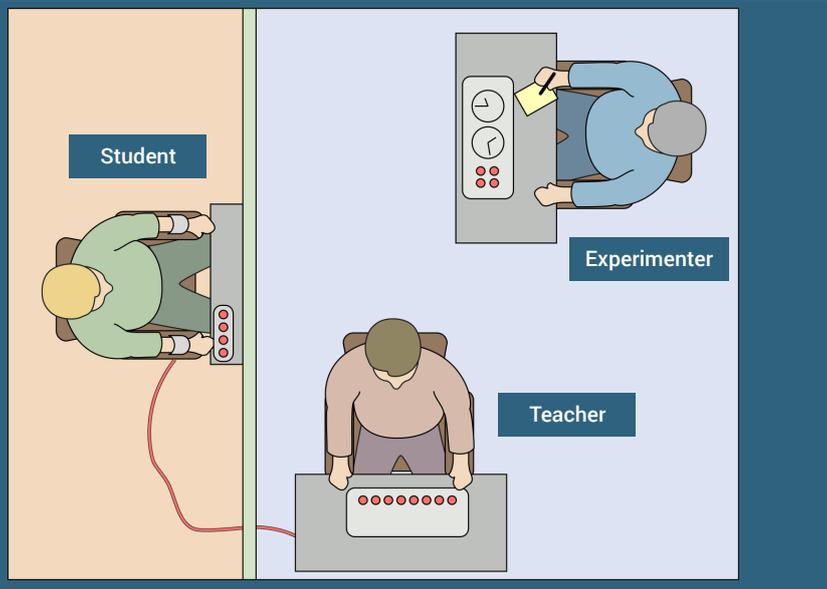
Figure 2. Electric Shock Generator Switches in Milgram Experiment

²⁴ Milgram, S. (1950s) *The Milgram Shock Experiment, 1960s*, summary taken from <https://www.simplypsychology.org/milgram>, consulted on 2020-10-08.

²⁵ *Ibid.*

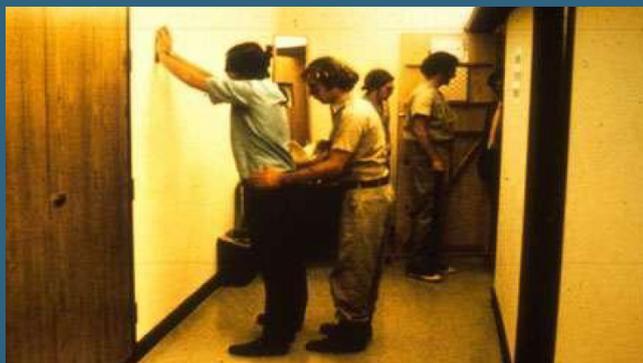
The learner learns a list of word pairs. The teacher tests him by naming one word and asking him to recall its pair. The teacher is told to administer an electric shock for every mistake. The learner gives wrong answers on purpose. The teacher gives him electric shocks. The learner acts like he is hurting (screams, cries, begs to stop...) Whenever the teacher refused to give an electric shock, the experimenter gives him orders to ensure he continues: "please continue", "the experiment requires you to continue", "it is absolutely essential to continue" and "you have no other choice but to continue".

Figure 3. Illustration of Milgram Experiment Actors



The result of the experiment was the following: %65 (two-thirds) of participants continued to the highest level of 450 volts. All of them got to 300 volts. The aim of the experiment was to research how far ordinary people would go in obeying an instruction when it included harming another person. In correspondence with interrogations, the interrogator often receives orders from officials who are at higher positions. He is asked to get some evidence, to reveal the truth, to have something valuable to give to the court. Obedience plays a major role in the psychological perspective of the interrogator. The pain that could be suffered won't stop him from completing his duty.

Figure 4. Real Photos Taken During Zimbardo Experiment



3.2.4 The second relevant experiment is the Zimbardo – Stanford prison experiment. It is a social psychology study in which college students acted as prisoners or guards in a prepared prison environment at Stanford University. The aim was to measure the impact of role-playing, labeling and social expectations on behavior along two weeks. However, mistreatment of prisoners escalated so alarmingly that Philip Zimbardo terminated the experiment after six days. "Guards worked out a system of rewards and punishments to manage the prisoners. Within the first four days, three prisoners had become so traumatized that they were released. Over the course of the experiment, some of the guards became cruel and tyrannical, while a number of the prisoners became depressed and disoriented"²⁶.

²⁶ Zimbardo, P. (1971), *The Stanford Prison Experiment*, summary taken from <<https://www.britannica.com/event/Stanford-Prison-Experiment>>, consulted on 2020-10-08.

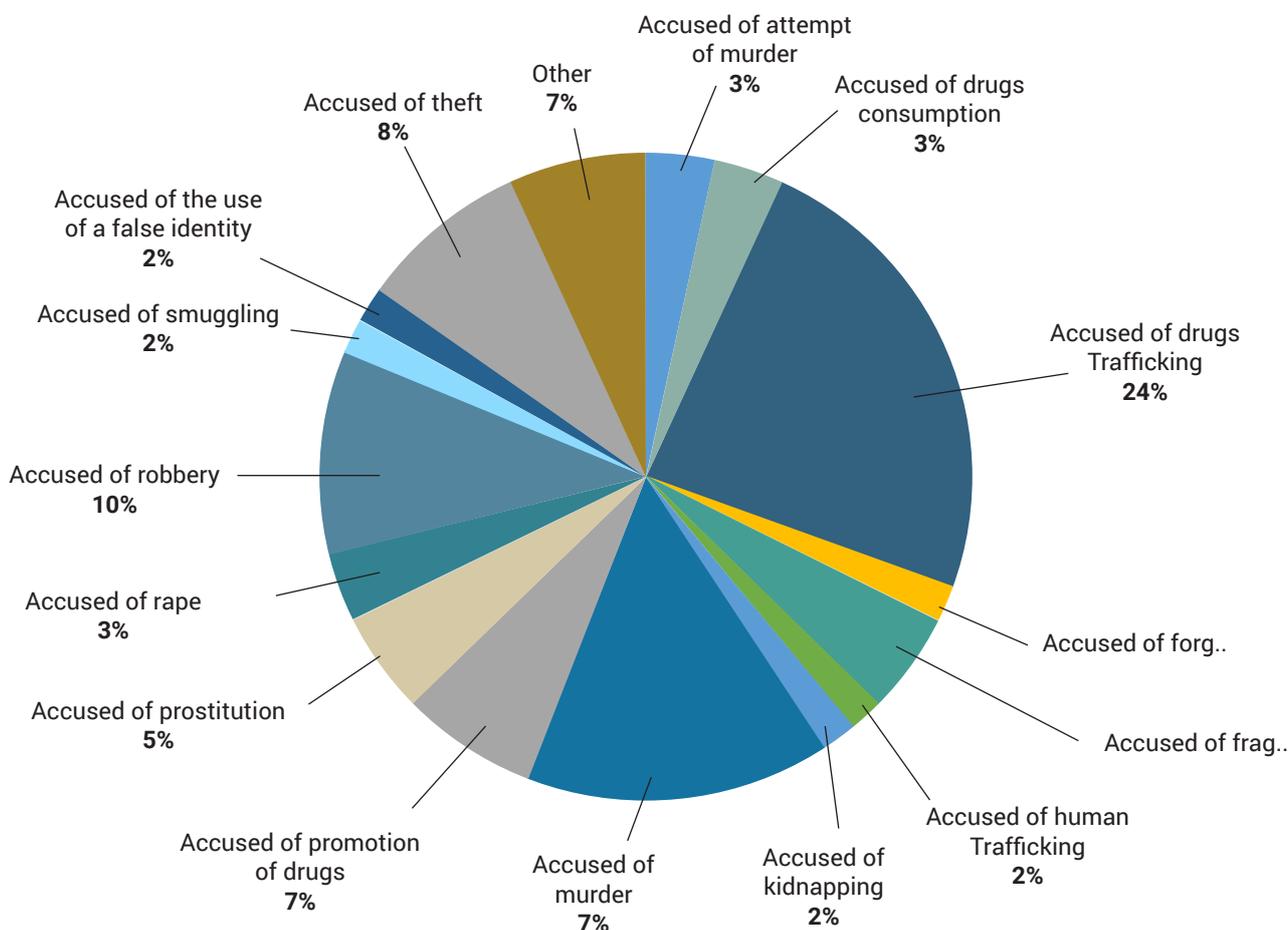
In correspondence with interrogations, as the interrogator is the one in control, his sense of oppression and authoritarianism rises. By simply getting the role of the one asking the questions and leading the dialogue, he feels psychologically superior. As in the experiment, the simple uniform that the ones playing the role of the guards wore, was of important influence on their behavior.

3.2.5 On the other hand, the suspect is the “weaker” interactor. He is the one being controlled from the moment he’s arrested to the moment he is led to the questioning room. Every suspect will find himself in a very complex “decision making process” when being interrogated. His thoughts will evolve around questions like: “Should I talk or remain silent? Tell the truth or lie? Will a confession help or harm any defense?”

This process will be influenced by a variety of factors. There are individual factors: age, gender, criminal background, guilt feeling... Furthermore, there are contextual factors like the access to legal advice and the interrogation techniques. Also, the criminal factors play a major role in the psychological state of the person being interrogated. For example, the type of crime they are being accused of, its severity and seriousness and the available evidence have an undeniable impact on his psychological state²⁷. In the previously mentioned inception study conducted by CLDH, the type of accusations given to victims of torture were various. But as it is shown in the chart below, the ones accused of drugs trafficking occupy the highest percentage (%24) and the ones accused of murder rank second (%15).

Figure 5. Graph Extracted from CLDH Inception Study (2019)

An inception study on the Law aiming at punishing torture, Lebanon Torture Situation after Legislating law 2017/65



²⁷ St. Yves, N. and Deslauries-Varin, N. (2009), *The Psychology of Suspects' Decision-Making during Interrogations*.

3.2.6 “In an interrogation, subjects are also likely to engage in a cost-benefit analysis, weighing the cost of remaining silent (possibly leading to physical or psychological harm) with the benefit of not providing useful information to the interrogator (saving himself or herself and his or her comrades)”²⁸. In other words, the suspects seek to manage their information making sure that they provide either the appearance of an information or an information that the interrogator already knows (a strategy that has been used by prisoners of war; cf. Granhag, Oleszkiewicz, Strömwall, & Kleinman, 2015). Also, they could use strategical verbal resistance by giving a wide answer “vague information” or an information which cannot be verified, making it hard on the interrogator to interpret and use the given response (cf. Goldsmith, Koriat, & Weinberg-Eliezer, 2002).

3.2.7 “Cases documented by Alkarama show that torture is generally practiced in the first period of custody following arrest and during interrogations, in order to extract confessions to be later used as source of evidence in proceedings or as a form of punishment for crimes for which arrestees are suspected of perpetrating”²⁹. The timing of the infliction of torture plays a major role in the mental health of the suspect, who realizes that the interrogator does not know him yet, a certain stereotype and profiling is created for him, a pre-judgment is given to him; and all these realizations can easily break the suspect’s self-confidence. The suspect can suffer from PTSD: “any psychological pressure may generate incorrect information, and mental pressure puts the suspect in a PTSD state, which blurs him and makes him lose concentration, preventing him from telling the whole truth. He may even say the right information but miss various important information”³⁰.



28 Vrij, A. (2017), *Psychological Perspectives on Interrogation*, Department of Psychology, University of Portsmouth, Association for Psychological Science, P.4.

29 Alkarama Foundation (2018), *Lebanon Shadow Report*, submitted to the Human Rights Committee in the context of the review of the third periodic report of Lebanon.

30 Kassin, S. Leo, R. Meissner, C. Richman, K. Colwell, L. Leach, A. and La FonPolice, D. (2007), *Interviewing and Interrogation: A Self-Report Survey of Police Practices and Beliefs*, American Psychology-Law Society/Division 41 of the American Psychological Association.

Methodology

This paper emerges from mixed-method, qualitative and quantitative, research.

4.2 Tool #1 - ONLINE SURVEY ADDRESSED TO RANDOM PARTICIPANTS RESIDING IN LEBANON

Qualitative and Quantitative Research - An online survey prepared using Kobo Tool Box was shared with random Lebanese participants. The main goal of this survey was to assess the opinion and the knowledge of the Lebanese society regarding the use of torture during interrogations in Lebanon. A total of 214 responses was reached, noting that the target was 200.

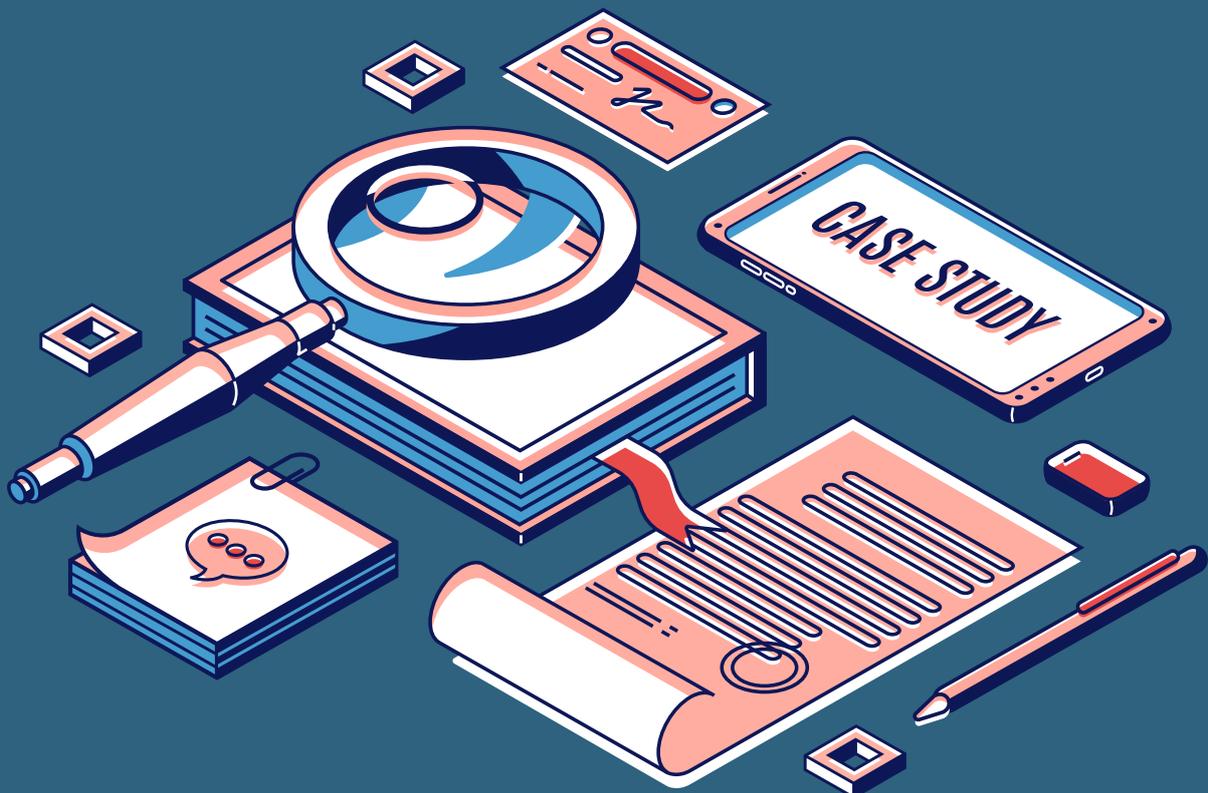
4.3 Tool #2 - INTERVIEWS WITH VICTIMS OF TORTURE

Qualitative and Quantitative Research - Including testimonies of victims of torture which are essential and informative. A series of questions was prepared according to the Manual on Monitoring of Human Rights proposed by the United Nations and were reviewed by the psychologist and the social worker at CLDH. Every interview lasted between 30 and 60 minutes, and remained confidential in order to maintain the safety of the interviewees.

4.4 Tool #3 - MEETING WITH KEY INFORMANTS (KIS)

Qualitative Research - The main goal of this meeting was to gather information based on the experience of the key informant as a past prison guard and a holder of a PHD in Criminology that she conducted in the Lebanese prisons. The identity of KI will remain anonymous for privacy reasons. This included interviewing independent psychologists and head of human rights center at Internal Security Forces

Qualitative Research - The main goal of these meetings was to gather theoretical and practical information on the psychological impacts of torture on the victim and the perpetrator, as well as on the infliction of torture in Lebanon in general. Among those interviewed, Stephanie Haddad who is a psychologist at CLDH and submitted a thesis related to juvenile incarceration, Major Rabih Ghosayni, head of the Center of Human Rights in the Internal Security Forces. The questions revolved around how the Center is preventing the use of torture during interrogations and how inflictors of torture are being held accountable.



Discussion

In order to prove that torture is an illegal and failing tool of interrogations in Lebanon, several findings arose from the tools listed above.

5.1 The investigative personnel, the reason behind the use of torture

A primordial note was concluded during this research: the investigative personnel inflicts torture because of the lack of knowledge and training. KI described this as “the culture of torture” present in Lebanon. Torture is, to some extent, the way of belonging to the ISF. Therefore, new members have to partake in inflicting torture to “fit in”. Moreover, the interviewed psychologist considered that torture is “the easiest way” for the interrogator when he lacks knowledge and forensic scientific tools. In this regard, Major Ghosayni believes that “the more technology is used, the less torture is inflicted”. According to him, the technology needed for successful interrogations is neither possessed nor used during interrogations held in the Forensic Office مكتب الأدلة الجنائية and the Information Division شعبة المعلومات. KI stated that the two reasons that push investigators to use torture in order to obtain a confession and extract the truth, emerge from the lack of training. Torture is used because no alternative investigative measures are provided. KI gave the example of an interrogator who explicitly stated “of course we torture them, or else how do we make them say the truth?”

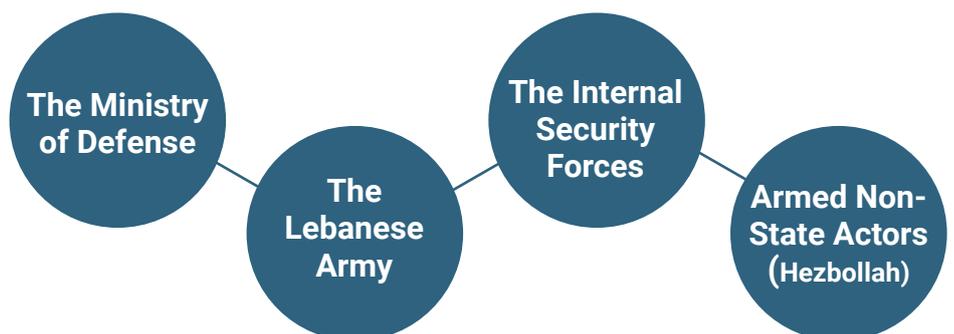
In parallel, the online survey addressed to random participants showed that some people agree with this notion. In the question regarding the reason behind the use of torture (question 14), some added “other” reasons such as: “incompetence”, “lack of qualification and ability to conduct a proper interrogation”, “this is the method they know” and “lack of training”.

In addition, it was noted that the interrogator often inflicts torture because of the reward: promotion, money, etc. VoT (1) described how the perpetrator started jumping and cheering when he inflicted torture, shouting “I earned myself a star (a promotion)”. VoT (2) mentioned the same reason stating that “they would do anything to get higher ranks, to gain more money, even if that includes torturing the poor and the weak”.

Hierarchy plays a major role in the ISF. Along with hierarchy, comes obedience. According to the experience of Milgram (above-mentioned), obedience and authority could lessen the sense of empathy and compassion. The interrogative staff often inflicts torture because it was ordered by a higher authority. For instance, KI explained that when interviewing ISF members, some responded by refusing the use of torture, stating that torture should never be the right tool. Nevertheless, they emphasized on how they were obliged to inflict it if they did not want to lose their job.

According to the online survey and the interviews with VoTs, the interrogator often uses torture simply to create a case and frame a suspect.

In the scope of the studies conducted for this research, the main inflictors of torture were the following:



It is important to note that this list is not exhaustive but corresponds to the main armed forces stated by the VoTs. Several other personnels could be the perpetrators, such as the judges. As stated by a KI, and during a training involving psychology and mental health conducted with interrogators, one stated that "few slaps are not torture, they will make the suspect talk". Also, KI describes another interrogator's opinion on torture, given during an interview: "I did not torture him, I just put him in a dark room where he could only hear a drop of water continuously, so that he speaks the truth".

5.2 The victim, the reason behind torture's failure

There were six potential VoT to interview for this research. Only four were included. As for the other two one was not able to conduct the interview and the other had suffered from mistreatment from ISF members and not actual torture during interrogation.

A priori, it is important to highlight the attitude of the 4 VoT with whom we conducted interviews. As soon as contacted, all of them were eager to speak about their experience. It was clear that their need to talk about the torture that was inflicted against them surpassed the fear they had of the continuous threats.

3 out of 4 answered "Yes" to the question "Did you know the reason why you were arrested at first?" When asked about how they knew the reason for their arrest it seemed they were speculating as no official personnel informed them: VoT (2) explained how an incident had happened when he was 11 years old living under the Cola bridge with immigrant kids, VoT (3) was kidnapped by Hezbollah 5 months before the arrest and VoT (4) was a political activist against the Syrian Regime. VoT (1) did not know the reason.

Most importantly, it is at this point of the research that we perceived the failure of the use of torture during interrogations. All four victims answered "Yes" to the question "Do you believe that your answers / statements aligned with what the interrogator wanted to hear?" However, none of them was telling the truth. They just wanted the torture to stop. VoT (1) was tortured for five consecutive days and the interrogators were obliging him to memorize an invented story with torturous repetitions. VoT (1) also described his experience as follows: "I was thrown in a dungeon and every second I tried to recline a bit, I would hear a big 'Range' car speeding up and hitting the dungeon's door. I developed a psychological trauma as I still fear the sound of iron." VoT (2) explained that the Lebanese Army knew he was innocent but did not allow his release because he did not have any official documents. VoT (3) said he was standing for 48 consecutive hours and not allowed to sleep, forced to drink water yet not allowed to pee. He explained how he peed on himself (including diarrhea); adding to all of that the non-stop balance. VoT (4) stated "I was blindfolded the whole time, I was not allowed to sleep and every time I tried to nap, an electrical machine was used to get me electrofied, I was given toilet water to drink..." VoT (4) added "I thought if I agreed with their statements, they would stop torturing me and that later, the Criminal Justice will give me my rights back and will protect me".

Similarly, in the interview with KI, the below questions were asked:

12. If you were to list the causes that push investigators to inflict torture in interrogation in Lebanon, starting with the most common to the least common, how would you list them?

- | | |
|------------------------|---|
| A. Extract the truth | E. Discrimination |
| B. Obtain a confession | F. Historical/political reasons (war for example) |
| C. Let off steam | G. Other - kindly specify: _____ |
| D. Just for fun | |

Figure 6. Question 12 of Interview with KI

Answers A and B were the most common causes behind torture during interrogations in Lebanon. The KI also added that false confessions are obtained because of torture, as mentioned by judges and ISF members with whom the interviews were conducted.

Therefore, it was concluded that the interrogator's purpose was not to extract the truth, since with the use of torture, the truth was not being reached. On the contrary, as described by many VoT interviewed for this research, the interrogator inflicted torture to enforce lies and false confessions, not to reach the truth. If the interrogator reaches his goal by using torture, it is undeniable that his goal, in the scope of the interviews we conducted with VoT, was not the truth. Whenever the aim of the interrogator is legitimate, in the sense of knowing the truth and protecting society accordingly, torture was not a successful implemented tool.

This table shows that the four VoT were subjected to approximately the same questions and treatment, regardless of the date of arrest. As for the date of the torture inflicted, VoT (1) was tortured in 2017, VoT (2) in approximately 2001, VoT (3) 2006 and VoT (4) in 2015 and 2019.

| Question | Answers |
|--|---|
| Were you interrogated as soon as you arrived at the police station / detention center? | 4 No (beatings came first) |
| At the beginning of the interrogation, were you told what your rights are? (Especially the right to have a lawyer and the right to have access to basic needs) | 4 No |
| Were you able and allowed to contact a lawyer? | 4 No |
| Were you able and allowed to contact a family member? | 4 No |
| Were you allowed to have break(s)? | 4 No |
| Were you offered any food and/or water? | 1 Yes (but couldn't eat because of scars in mouth caused by torture) 1 Yes (because the victim was 11 years old) 1 Yes and No (Yes water in the purpose of torture, not allowed to pee) 1 No |
| Were there any repeated questions? | 4 Yes (Pressure to memorize, confirm, and adapt to the false accusations) |

5.3 The society lacks awareness on torture

The majority of the participants in the online survey has heard of the use of torture during interrogation. In fact, 204 out of 214 have heard of it. The answers reveal that 34.58 % have heard of it because someone they know was interrogated once.

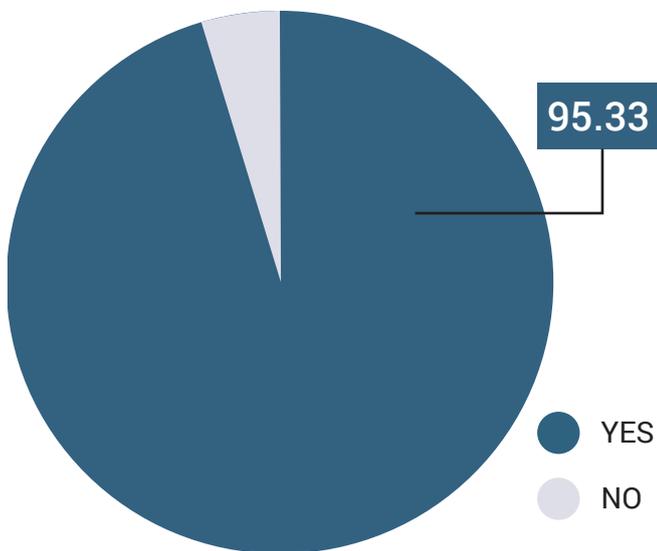


Figure 7. Data Responses of Question 8 of the Online Survey

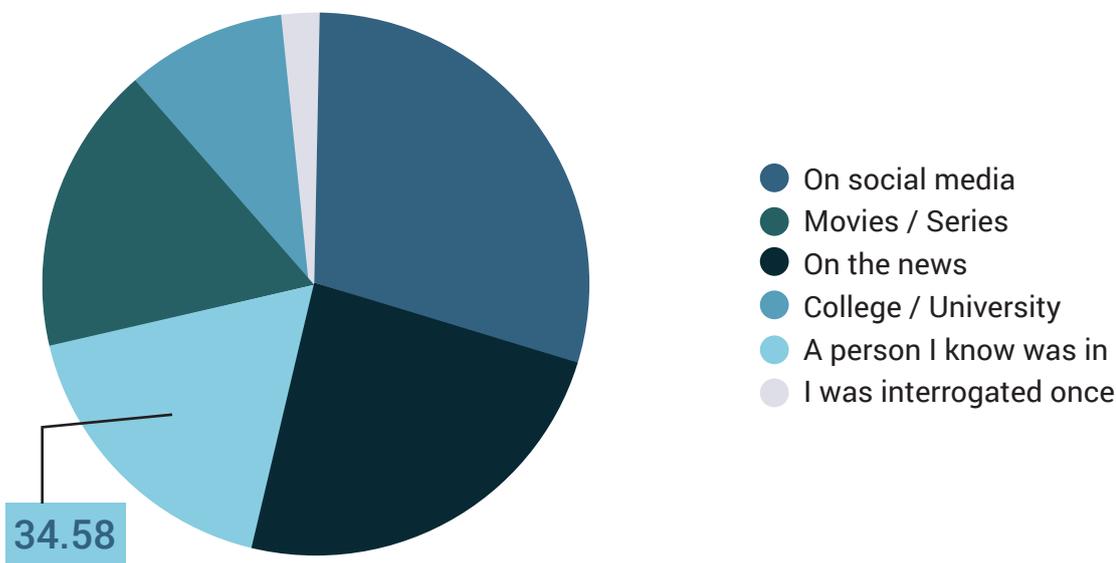
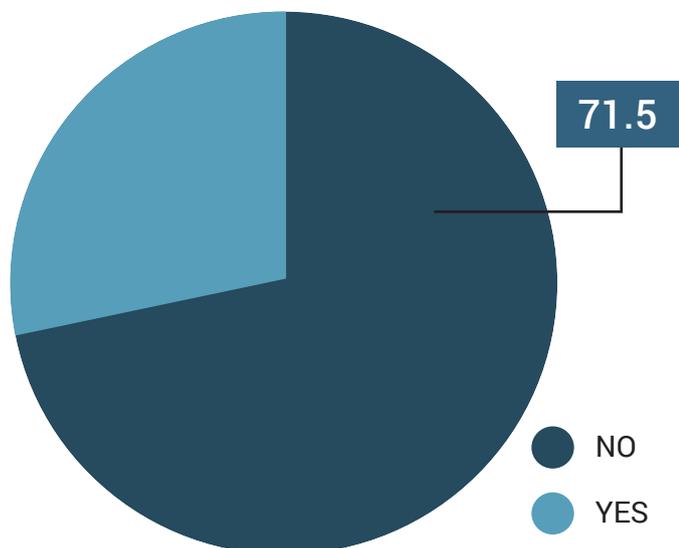


Figure 8. Data Responses of Question 9 of the Online Survey



Second and most importantly, even though the majority has heard of torture, the majority has not heard of the Law N 2017/65 which prohibits torture in Lebanon.

Figure 9. Data Responses of Question 18 of the Online Survey

At this point of the research, we ask ourselves: why not know about this national Law? Is it because the society does not follow up on the implementation of new laws, or because the government does not share it enough with the public? Thus, this law might be falling into “desuetude” (disuse) because of the lack of its enforcement, practice and respect.

Third, 89 participants considered that torture should be used in certain cases (like terrorism) and 2 participants answered “yes” to the use of torture during interrogations.

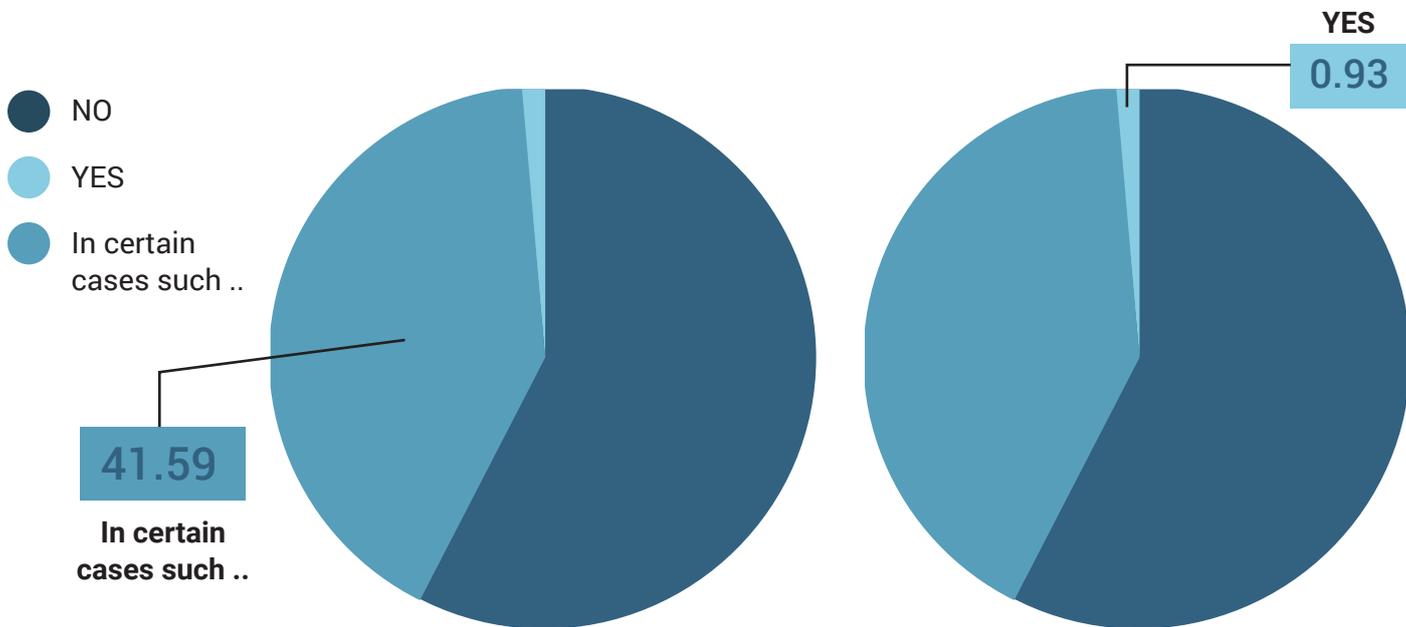


Figure 10. Data Responses of Question 12 of the Online Survey

Fourth, torture is considered by:

- 186 participants as the psychological methods (threats, manipulation, being left alone, etc.);
- The deprivation of basic needs (deprivation of food, water, access to the bathroom, etc.) by 195 participants;
- The physical methods (beating, slapping, etc.) by 206 participants.

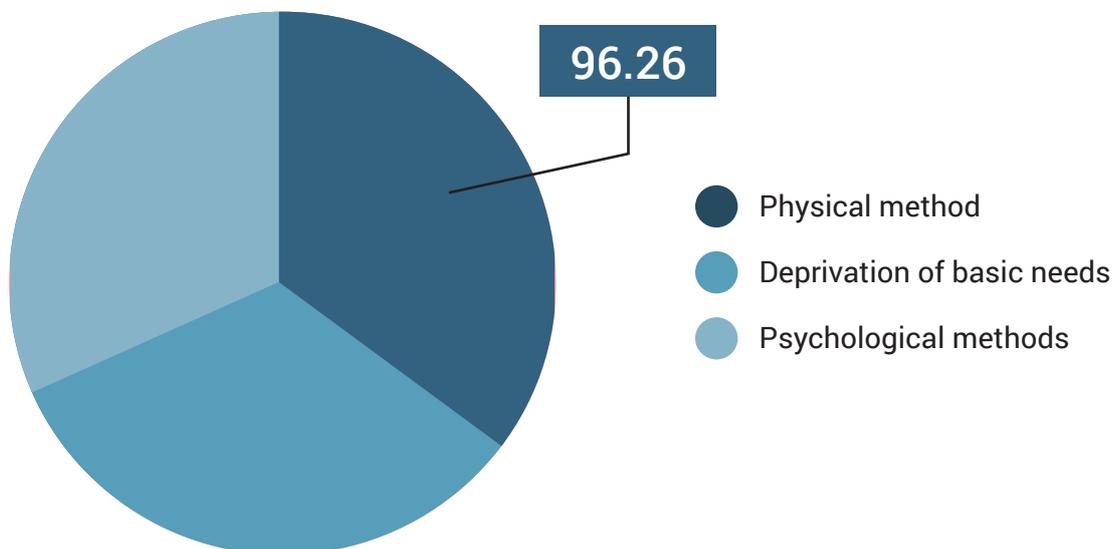
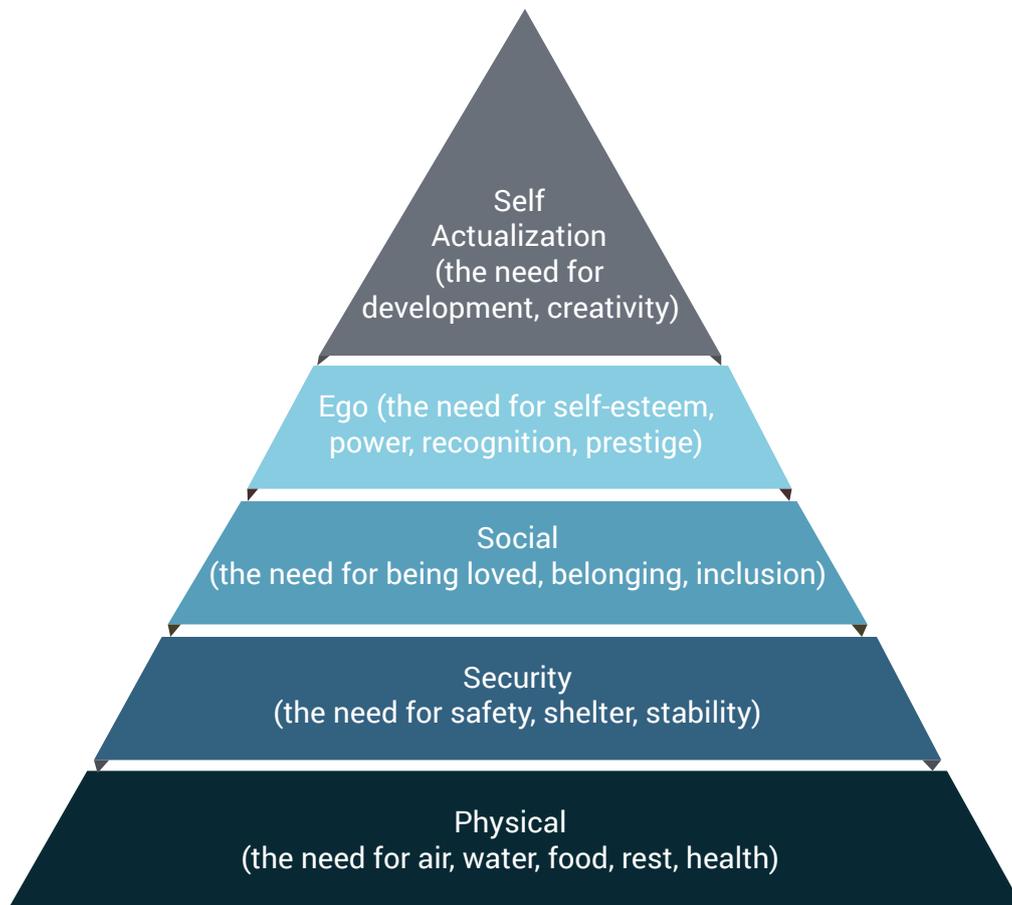


Figure 11. Data Responses of Question 11 of the Online Survey

Figure 12. Illustration of the Pyramid of Maslow



Regarding the deprivation of basic needs, it is important to highlight the pyramid of Maslow, a psychological theory mentioned by Ms. Haddad when answering the first question on an overview of the informant's experience in psychology and incarceration in Lebanon. One of the main observations Ms. Haddad made in regards to the Lebanese detention centers was the deprivation of the basic needs. She elaborates by explaining that basic needs (like food and water) should be provided to the individual a priori, thus before pinpointing the psychological state of the individual. In other words, the pyramid of Maslow reveals how a person can suffer from mental illnesses by the core deprivation of his basic needs.



Conclusion / Recommendations

When asked about whether training can modify the mindset of those who inflict torture and believe it is the right tool to uncover the truth and solve a case in the fastest way, KI answered that “no matter how much training we give them, if there is no will to change, it will be very difficult. We are trying to break the vicious circle.”

It's also important to mention that the will to change, if effective, should affect police institutions as a whole. Any individual change that would potentially occur would not be successful if the system remains intact and unmodified.

It's the culture of torture in Lebanese police institutions and prisons which has been existing for decades that should be abolished via continuous work and training from high ranked officials to soldiers. It is evident that torture is systematic in Lebanon. The lack of accountability results in an increase in inhuman treatment and degrading punishments. The case of Hassan Al Dika, who died in custody after being subjected to torture by the ISF in May 2019, is a proof that torture is still perceived as a “legitimate” tool for interrogations and that the culture of impunity in the legal system prevails.

During a debate on prison reform organised by Search for Common Ground, Bassam Al Kantar, activist and Commissioner of International Relations and Information at the Lebanese Human Rights Commission stated that “no sentence has been imposed on any torturer and no compensation has been paid to any tortured person in Lebanon”.

Based on all the findings stated above, we recommend, in order to prevent the use of torture during interrogations in Lebanon, the following:

To ISF and Police Institutions:

- ◆ To implement article 47 that includes measures of surveillance during interrogations which should be conducted by an independent body led by an independent judge.
- ◆ To prohibit kidnapping and interrogation outside State actors by implementing new laws and new regulations, highlighting the consequences of such acts.
- ◆ To implement accountability measures and prevent impunity.
- ◆ To encourage ISF members on presenting complaints against other ISF members who inflict torture, noting that on one hand, such complaints are exceptions to the hierarchy (ISF members in lower positions can present complaints against their bosses at higher ranks); and on the other hand, the complainer's identity remains anonymous and confidential.
- ◆ To consider every interrogation conducted after September 2020 illegal and prohibited when conducted without the possibility for the arrested to contact a lawyer and allow his presence during the interrogation (Law N.191/2020, amendment of article 47).
- ◆ To implement other tools for the extraction of the truth such as the lie detector and to respect the SOPs measures.
- ◆ To give more training on alternative investigative methods to the ISF and other concerned State and non-State parties.

Finally, we conclude with few sayings expressed by the four VoT interviewed for this research:

VoT (1): "I had no time to process what was happening. They immediately pushed me against the wall and started beating me, asking me to confirm that I did what they were accusing me of, I was denying at first, but I couldn't resist when they threatened to burn my parents' house and to hurt my only daughter and my wife."

VoT (2): "The law is always against the poor and the weak, and in favor of the rich and the strong. Rich people can't get arrested. I believe every system, every power, every armed political group, is mercenary. They all do what they have to do to get paid, to get more money."

VoT (3): "I believe torture only misleads the truth. I have no proposition to solve this practice of torture. In this country, I lost hope."

VoT (4): "The only solution, I believe, is to remove the hand of the one in power, and we all know who is the powerful one in this country. Lebanon's history proves how it was the refuge for the vulnerable wherever he came from, the voice for every oppressed around the world and the place where liberties and art intertwine. Sadly today, the Lebanese themselves are running away from Lebanon because of the dominant power."



References



Conventions

Universal Declaration of Human Rights (1948, art. 5); International Covenant on Civil and Political Rights (1976)

Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984) - Optional Protocol to the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, Inter-American Institute of Human Rights, 2005.



Book

Beccaria, C. (1764), An Essay on Crimes and Punishments.



Reports

SOLIDA (1997), Arbitrary Detention in the Basements of the Ministry of Defense, Report.

Kassin, S. Leo, R. Meissner, C. Richman, K. Colwell, L. Leach, A. and La FonPolice, D. (2007), Interviewing and Interrogation: A Self-Report Survey of Police Practices and Beliefs, American Psychology-Law Society/Division 41 of the American Psychological Association

HRW (2013) "It's Part of the Job", Ill-treatment and torture of vulnerable groups in Lebanese police stations.

CLDH Report (July 31, 2019), An inception study on the Law aiming at punishing torture, Lebanon Torture Situation after Legislating law 65/2017.

Alkarama Foundation (2018), Lebanon Shadow Report, submitted to the Human Rights Committee in the context of the review of the third periodic report of Lebanon.



Websites

<https://tortureum.com/history-of-torture/>, consulted on 15-09-2020.

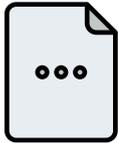
<https://www.etymonline.com/word/torture>, consulted on 14-09-2020.

The Daily Star News "Parliament fails to pass general amnesty law, session postponed due to lack of quorum", Failure in Passing General Amnesty Law <https://www.dailystar.com.lb/News/Lebanon-News/2020/Sep-30/51>, consulted on 13-10-2020.

“Lebanon: Judges use WhatsApp to interrogate detainees amid coronavirus lockdown”, <https://www.middleeastmonitor.com/20200324-lebanon-judges-use-whatsapp-to-interrogate-detainees-amid-coronavirus-lockdown/>, consulted on 07-10-2020.

Milgram, S. (1950s) The Milgram Shock Experiment, 1960s, summary taken from <https://www.simplypsychology.org/milgram>, consulted on 08-10-2020.

Zimbardo, P. (1971), The Stanford Prison Experiment, summary taken from <https://www.britannica.com/event/Stanford-Prison-Experiment>, consulted on 08-10-2020.



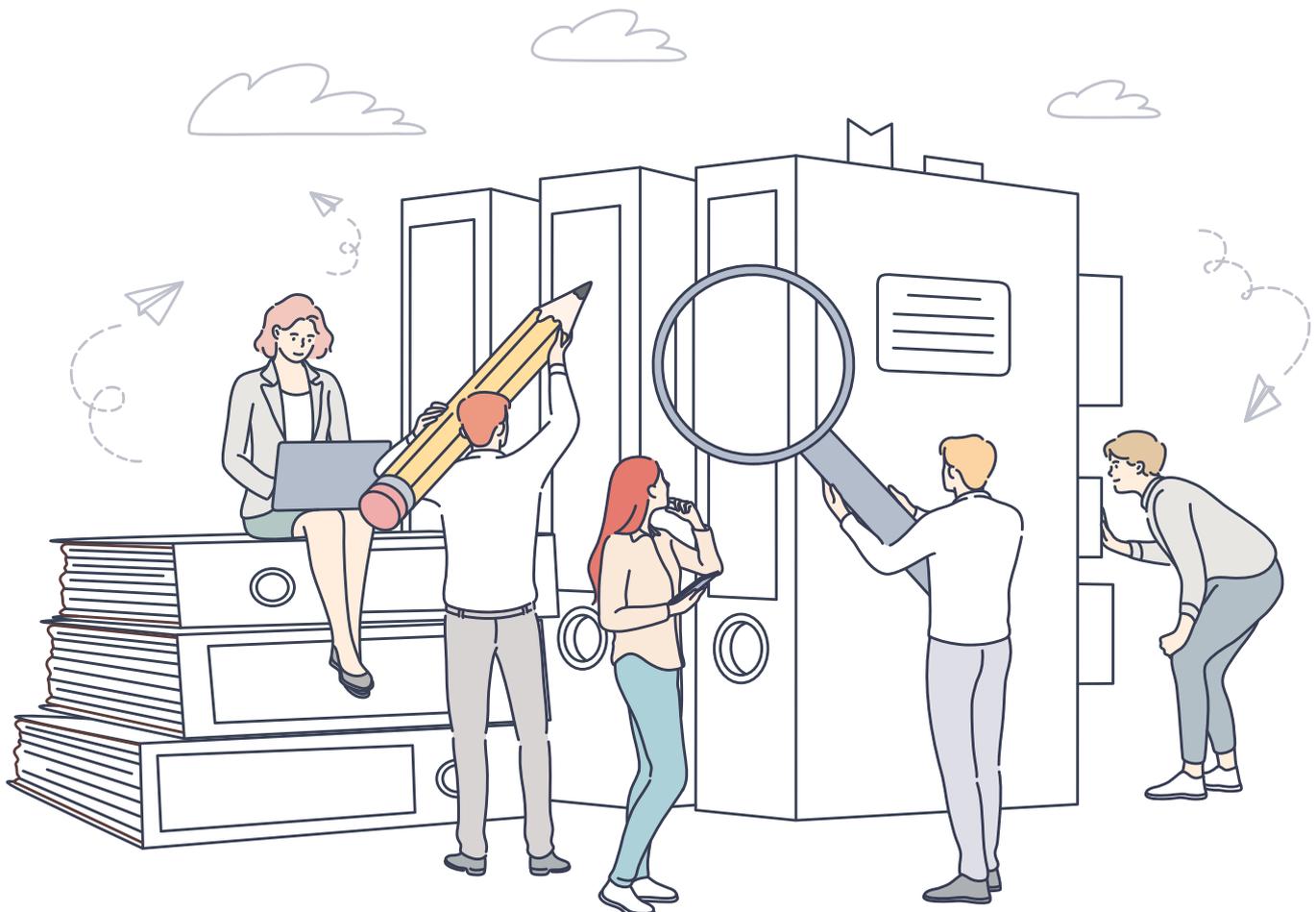
Others

Baz, S. (2016) The Trajectory of Sex Offenders through the Lebanese Criminal Justice System: a Tale for Human Rights Violations

Evans et al. 2010, P. 219.

St. Yves, N. and Deslauries-Varin, N. (2009), The Psychology of Suspects' Decision-Making during Interrogations.

Vrij, A. (2017), Psychological Perspectives on Interrogation, Department of Psychology, University of Portsmouth, Association for Psychological Science.



Appendix

Tool #1 - Online survey addressed to random participants residing in Lebanon

6/14/2021

ممارسة التعذيب خلال التحقيق في لبنان - المركز اللبناني لحقوق الانسان CLDH - Torture During Interrogations in Lebanon

Torture During Interrogations in Lebanon - CLDH ممارسة التعذيب خلال التحقيق في لبنان - المركز اللبناني لحقوق الانسان

In the scope of a research paper about torture in Lebanon, this short survey aims to reveal the knowledge and the opinion of the Lebanese society on the use of torture during interrogations. The survey is being implemented on behalf of the Lebanese Center for Human Rights (CLDH). Your contribution will be used in a paper about the use of torture during interrogation. Your responses will remain anonymous and you will not be identifiable in the written report resulting from this survey. The survey should take between 5-7 minutes to complete, and your contribution is important for a better understanding of the torture situation in Lebanon.

1. Do you agree to take part in this online survey? (By agreeing to take the survey you are consenting for your anonymous responses to be used by CLDH in the context of this research)

- Yes
 No

2. If you did not agree to take the survey, please mention why:

3. Email address (optional)

4. Full name (optional)

5. Gender

- Male
 Female
 Other
 Prefer not to say

6. Age

- Under 18
 18 - 25
 26 - 35
 36 - 45
 45 - 60
 60 and above

7. Educational level

- High school degree
- Bachelor's degree
- Master's degree
- Doctorate degree
- Technical degree
- No degree

8. Have you ever heard of the use of torture during interrogations in Lebanon?

- Yes
- No

9. If yes, specify how you've heard of it.

- Movies / Series
- College / University
- I was interrogated once
- A person I know was interrogated
- On social media
- On the news

Other (specify)

10. If you answered "I was interrogated once" in the previous question, would you be interested in taking part in the research paper we're working on (a short and anonymous interview can be conducted with you)? If yes, kindly leave your name and phone number; or contact CLDH: for legal support +961 76 329 319 or for rehabilitation +961 79 171 272.

11. Which of the following methods do you consider torture?

- Physical methods (beating, slapping, etc.)
- Psychological methods (threats, manipulation, being left alone, etc.)
- Deprivation of basic needs (deprivation of food, water, access to the bathroom, etc.)

Other (specify)

12. Do you believe torture should be used during interrogations?

- Yes
- No
- In certain cases (such as terrorism, spying, collaborating with the enemy, etc.)

13. If you answered "Yes" or "In certain cases", kindly explain why:

14. What are the reasons you believe make interrogators use torture?

- Extract the truth
- Obtain a confession
- Let off steam فشة خلق
- Just for fun
- Discriminate (identity of the suspect)
- Historical reasons (war beliefs...)
- Political reasons

Other (specify)

15. If you were a suspect who is being tortured during interrogations, would you report a complaint about being tortured?

- Yes, I would not stay silent about such thing.
- Yes, I would try my best to make it stop.
- No, I believe they would torture me even more.
- No, I have no connections (wasta) to be protected.

16. Out of 10 suspects, how many do you think are victims of torture in the Lebanese police stations / prisons?



17. Is the suspect legally allowed to have a lawyer during interrogations?

- Yes
- No
- Sometimes
- I don't know

18. Did you know that there's a Lebanese law adopted in 2017 that prohibits the use of torture?

- Yes
- No

19. Did you know that Lebanon is a State party to several international treaties that prohibit the use of torture?

- Yes
- No

20. What do you recommend to be used during interrogations instead of torture? Why?

21. Comments / Suggestions

Tool #2 - Interviews with victims of torture (questions only)

1. Do I have your consent to conduct the interview?

- Yes
- No

2. Did you know the reason why you were arrested at first?

- Yes
- No

3. If you answered “yes”, how did you know?

4. How do you describe your transportation to the police station / detention center?

5. In what police station / detention center were you held for interrogation?

6. Were you interrogated as soon as you arrived at the police station / detention center?

- Yes
- No

7. If you answered “no”, how many hours did you wait before being interrogated?

8. Were there more than one interrogator conducting the interrogation? If yes, did you know the role/ position of each?

9. At the beginning of the interrogation, were you told what your rights are? (Especially the right to have a lawyer and the right to have access to basic needs)

- Yes
- No

10. Were you able and allowed to contact a lawyer?

- Yes
- No

11. Were you able and allowed to contact a family member?

- Yes
- No

12. Were you allowed to have break(s)? If yes, where were they held?

- Yes
- No

13. If you answered “yes”, how many breaks? (with intervals)

14. Were you offered any food and/or water?

- Yes
- No

15. Were there any repeated questions? Please state them and explain why you think they were repeated.

16. Were you tortured during the interrogations?

- Yes
- No

If the answer is “Yes”, we proceed.

17. Was it physical or/and psychological?

- Physical
- Psychological
- Both

18. Who inflicted torture against you?

- The interrogator(s)
- Other (specify):

19. What were the reasons for the use of torture?

- Extract the truth.
- Obtain a confession.
- Let off steam.
- Just for fun.
- Discriminate (specify why / what your nationality is for example).
- Historical/political reasons (war beliefs, etc.).
- Other (specify):

20. Do you believe that your answers / statements aligned with what the interrogator wanted to hear?

- Yes
- No

21. Did you file any complaint against the perpetrator of torture?

- Yes
- No

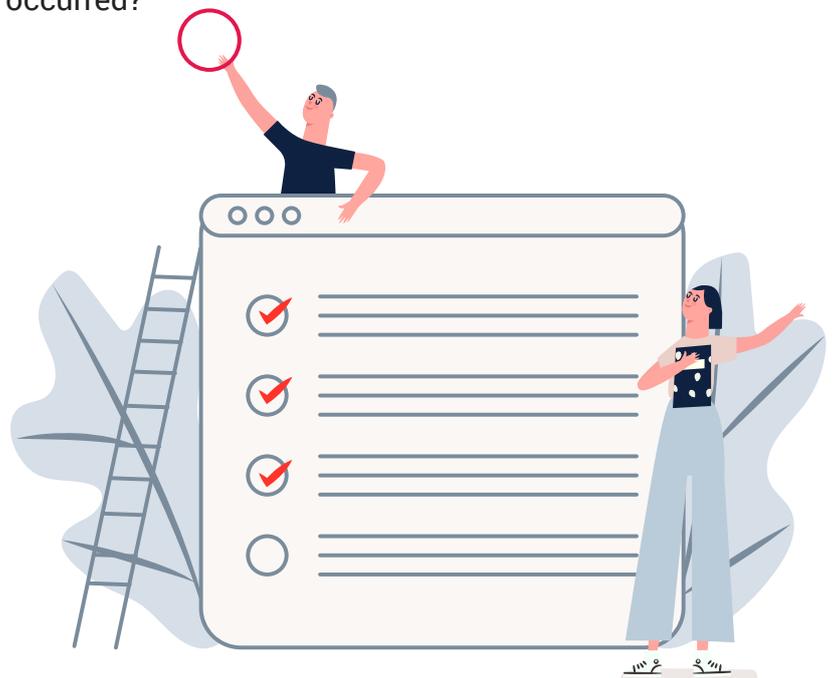
22. If you answered "yes", to who was it addressed and how?

23. If you answered "no", why not?

- I didn't know I could.
- I was afraid of being tortured more.
- I tried but I was blocked because I don't have any "wasta".
- I don't believe it would've helped me.
- I believe I deserved the torture I got.
- Other (specify):

24. How long has it been since the torture occurred?

25. Comments / Suggestions



1. Have the investigation officers been trained on human rights / detention / alternative investigation measures?

كيف تصف إستعمال التعذيب في صدد الإستجواب؟ هل هو أداة مستعملة كثيرًا في لبنان؟

2. Are the investigation officers familiar with the law 65? And are they familiar with the procedures of addressing complaints under this law?

هل المحققين على علم بالقانون 65؟ هل هم على علم بالإجراءات المتعلقة بتقديم شكاوى بحسب هذا القانون؟

3. Could you describe the process of interrogation? (How many officials are present in the room? Who conducts the interrogation? How many hours does it last? Is there a possibility to take a break? Where does it take place?)

هل بإمكانك وصف عملية الإستجواب؟ (كم عنصر يكون متواجدا؟ من يقوم بالاستجواب؟ كم ساعة يدوم؟ هل بإمكان المستجوب أن يأخذ إستراحة؟ أين يحصل الاستجواب؟)

4. What methods do you recommend instead of torture in order to extract the truth from the person being interrogated?

ما هي الوسائل التي تقترح استعمالها بدلاً من التعذيب وتؤدي إلى استخراج الحقيقة؟

5. Do you believe that methods used in interrogations should be adapted to the charges pressed against the suspect? E.g. Tougher in case of terrorism / human trafficking/ treason...

هل تعتبر أن الوسائل تتغير حسب الجرم المتهم به المُستجوب؟ مثلًا تكون أقسى في حالات الإرهاب والإتجار بالأشخاص والعمالة؟

6. How are complaints related to human rights violations reported to the Center of Human Rights? By whom? Does the person being interrogated know he/she has the right to report such complaints?

كيف تصل الشكاوى المتعلقة بانتهاكات حقوق الإنسان إلى المركز؟ من يقدمها؟ هل يتم إعلام المستجوب بحقه في تقديم هكذا شكاوى؟

7. How many complaints regarding torture are reported to the Center every month? (Approximately)

كم شكاوى تُقدم للمركز حول التعذيب شهريًا؟ (تقريبًا)

8. If approached by a person being interrogated with complaints regarding torture, would you rather redirect it to the investigating authorities? Or proceed with it in other means?

إذا تقدم أحد المستجوبين بشكاوى تتضمن تعذيبه، هل تحولها إلى السلطات التي تستجوبه أم تقوم بإجراء آخر؟

9. Are investigators being held accountable for using torture? How?

هل تتم معاقبة المحقق الذي يلجأ إلى التعذيب؟ كيف؟

10. Do you believe torture can (not necessarily always) help in extracting the truth / receiving a confession? Do you have any examples in mind?

هل تعتقد أنّ التعذيب قد (ليس بالضرورة دائمًا) يساعد في استخراج الحقيقة أو الحصول على إقرار؟ هل لديك أي أمثلة على هذا الموضوع؟

11. How do you supervise interrogations / make sure that torture is not being practiced? Is a member of the Center of Human Rights present during interrogations?

كيف تشرف على الاستجوابات وتتأكد من عدم اللجوء إلى التعذيب؟ هل يكون أحد أعضاء مركز حقوق الإنسان حاضرا أثناء الإستجواب؟

12. Have you had any training interrogation management?

If yes, what type of training and to whom was it given? (E.g. Behavioral change, general knowledge about the process of interrogation....)

هل نظمت تدريبات للاستجوابات؟ إذا كان الجواب نعم، فما كان نوع التدريب ولمن أعطيته؟ (مثلاً تغيير في الأداء، معرفة عامّة حول كيفية الإستجواب...)

13. Do you consider that the adoption of the Law 65 (Anti Torture Law 2017) reduced the amount of complaints and the use of torture during interrogations or not?

هل تعتبر أن القانون 65 (قانون ضد التعذيب 2017) قد خفّض كمية الشكاوى واللجوء إلى التعذيب خلال الإستجواب أم لا؟

14. Are there any legal services that the Center of Human Rights provides to the persons being interrogated? If yes, are those legal services free of charge?

هل يوفر مركز حقوق الإنسان إستشارات قانونية للمُستجوب؟ إذا أُجبت بنعم، هل هي مجانية؟

15. Do you think the new amendment of Article 47 in the Penal code will help reduce and monitor torture during investigation?

هل تعتقد أن التعديل الجديد للمادة 47 في قانون العقوبات يساعد على مراقبة وتخفيض نسبة التعذيب أثناء التحقيق؟



Tool #3 - Meeting with Key Informant (KI)

| | |
|-------------------------|---|
| Duration of the meeting | One hour. |
| Goal of the meeting | - To gather practical information on torture during interrogations based on the experience of the informant. - To acknowledge alternative investigative measures. - To track the training conducted with police officers and prison guards. |
| Manner of the meeting | The meeting is conducted online. |
| Length of the meeting | The meeting is made of 20 questions. |

1. Do I have your consent to conduct the interview?
2. Do I have your consent to record the interview?
3. Can you provide us an overview based on your experience with regard to criminology in Lebanon?
4. What was your experience when participating in advocacy meetings, awareness campaigns or training on torture during interrogation? It would be great if you provide us with your experience on each.
5. Who were the participants trained?
6. How would you describe the impact of the training based on your observation?
7. Do you believe that such trainings would modify the mindset of police officers and police guards (especially those who believe that torture is their tool to use in interrogations, in order to solve crimes fast and reveal the truth)? Kindly justify your answer.
8. Are the trainings enough to change investigation methods in your opinion?
9. Do you conduct field visits in detention centers?
10. Could you describe your take on the visits in a few words?
11. If you were to list the causes that push investigators to inflict torture
 - A. *Extract the truth*
 - B. *Obtain a confession*
 - C. *Let off steam*
 - D. *Just for fun*
 - E. *Discrimination*
 - F. *Historical/political reasons (war for example)*
 - G. *Other - kindly specify:*

13. What do you believe is the psychological impact of torture in interrogation on the victim?
14. What do you believe is the impact of torture in interrogation on the investigator?
15. What do you recommend as measures to be implemented in order to prevent torture? (Alternative Investigative Measures)
16. Do you think the new amendment of Article 47 in the Penal code will help reduce and monitor torture during investigation? Some are claiming it might help the suspect “get away with his criminal act” easier, do you believe that?
17. Do you believe torture is inflicted more during interrogations or after starting a prison sentence? Kindly elaborate.
18. Can you tell us what main limitations / challenges you encountered, especially regarding torture, in the scope of your PHD?
19. In your opinion, what human rights are being violated when inflicting torture in interrogation?
20. As a professor of Criminology courses, what type of relationship do you believe exists between psychology and torture in interrogation?
21. Would you like to add any comments and/or suggestions?



Tool #3 - Meeting with Psychologist

Psychologist at CLDH

| | |
|-------------------------|---|
| Duration of the meeting | One hour. |
| Goal of the meeting | <ul style="list-style-type: none"> - To gather practical information on torture during interrogations based on the experience of the informant. - To acknowledge the psychological aspect of the topic in both perspectives of the interrogator/perpetrator and the one being interrogated/victim of torture. |
| Manner of the meeting | The meeting is conducted online. |
| Length of the meeting | The meeting is made of 18 questions. |

1. Can you provide us an overview based on your experience with regard to psychology and incarceration in Lebanon?
2. Can you tell us what main limitations / challenges you encountered in the scope of your thesis, especially regarding torture?
3. Can you tell us what main findings you concluded in the scope of your thesis?
4. If you were to list the types of torture inflicted in Lebanon, starting with the most common to the least common, how would you list them?
 - A. *Physical torture (beating, slapping, etc.)*
 - B. *Psychological torture (threats, manipulation, solitary confinement, etc.)*
 - C. *Deprivation of basic needs*
 - D. *Sexual harassment*
 - E. *Other - kindly specify:*
5. If you were to list the causes that push investigators to inflict torture in interrogation in Lebanon, starting with the most common to the least common, how would you list them?
 - A. *Extract the truth*
 - B. *Obtain a confession*
 - C. *Let off steam*
 - D. *Just for fun*
 - E. *Discrimination*
 - F. *Historical/political reasons (war for example)*
 - G. *Other - kindly specify*
6. What do you believe is the psychological impact(s) of torture in interrogation on the victim?
7. What do you believe is the psychological motive(s) of torture in interrogation on the investigator?
8. What do you believe is the psychological impact(s) of torture in interrogation on the perpetrator?
9. What measures do you recommend, in a psychological aspect, to substitute torture? In other words, what psychological approaches could be used by the investigator and help him reach his goal (extract the truth mainly)?
10. Do you think the new amendment of Article 47 in the Penal Code will help reduce and monitor torture during investigation? Some are claiming it might help the suspect "get away with his criminal act" easier, do you believe that?
11. Do you believe torture is inflicted more during interrogations or after starting a prison sentence? Kindly elaborate.
12. What type of relationship do you believe exists between psychology and torture?
13. How would you describe the rehabilitation process of victims of torture? And how frequent is it for a victim to recover fully?
14. In your opinion, what type of training (given to investigators) could prevent torture?

15. Do you believe psychotherapy sessions should be conducted for all prison and detention centers staff? If yes, how frequent?

16. Based on your experience, who are the most common perpetrators of torture when it comes to interrogations? (Judges, police wardens, etc.)

17. Could you describe the case of a beneficiary tortured during interrogations that you recall? (Preferably a success story).

18. Would you like to add any comments and/or suggestions? If yes:

The Lebanese Center for Human Rights
7th Floor, Bakhos Center, St Joseph
Hospital Street, Dora, Lebanon

 +961 1 24 00 23

 info@cldh-lebanon.org

 www.rightsobserver.org

