



PRISON AND DETENTION CENTERS



MONITORING REPORT
2021 - 2022

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“The prison system today is a system in survival mode . It has not collapsed yet, it is still fighting through hardships and difficulties.”¹

This is how Judge Raja Abi Nader, Head of the Prisons Directorate at the Ministry of Justice, described the situation of prisons in Lebanon.

The United Nations Standard Minimum Rules for the Treatment of Prisoners – otherwise known as the Nelson Mandela Rules – set out the preliminary principles according to which prisoners in penitentiary and detention centers are to be treated (General Assembly, 2016)². As such, the **First Rule** reads:

All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times. (General Assembly, 2016).

However universal this declaration sounds, the reality of the Lebanese prison system becomes especially worrisome, seeing as it is codified in Lebanon’s Constitution Preamble to abide by and embody all United Nations Declarations (Arab Law Quarterly, 1997)³. Through a national-scale monitoring of Lebanon’s prisons, a trend emerges to debunk the compatibility of conditions in Lebanon with said Mandela Rules. The fusion between the steady incline in Lebanon’s criminality rate and the multiple crises facing the country becomes the backbone of this research.



THE MAIN PROBLEMATIC

This report by CLDH aims at collecting qualitative and quantitative data in regards to prisons and detention centers in Lebanon in the past few years. Herein, the end goal is to monitor the current prison conditions, prisoners’ situation, the prison personnel’s capacities and challenges, in the purpose of enhancing the provision of services by non-State actors, after highlighting the gaps and needs. Evidently, the framework of reaching this conclusion comes through an overarching monitoring of Lebanese prisons.



THE REPORT’S ADDED VALUE

It is critical to note that the first pillar of this monitoring report is an added value compared to other published reports on Lebanese prisons, seeing as it captures the current situation in 2022, in contrast to the stale previous reports. As for the second pillar tackling the Bekaa, it will help CLDH understand the gaps in services provisions to the detention centers in Bekaa in order to set the adequate action plan. By doing so, this holistic project serves data accuracy, advocacy strategies, and amendments in policies and/or procedures.

¹ KII (A), Judge Raja Abi Nader, June 8, 2022.

² United Nations General Assembly A/RES/70/175. (2016, January 8). United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules). OHCHR.

³ Arab Law Quarterly. (1997). The Lebanese Constitution. JSTOR.

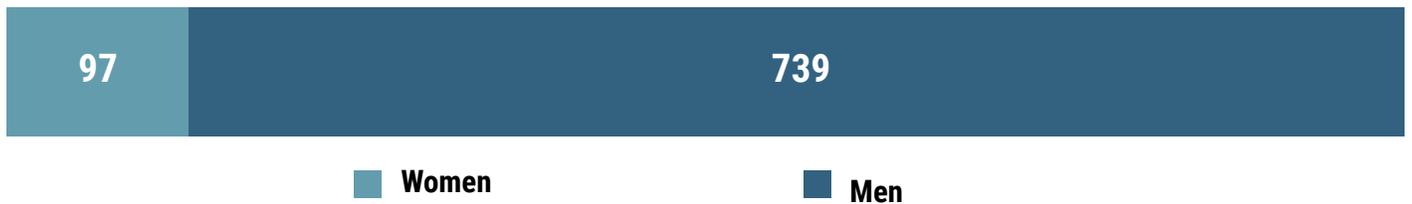


AN OVERVIEW OF CLDH'S WORK INSIDE PRISONS

Year 2021

A Inmates Represented by CLDH's Lawyers (Segregated)

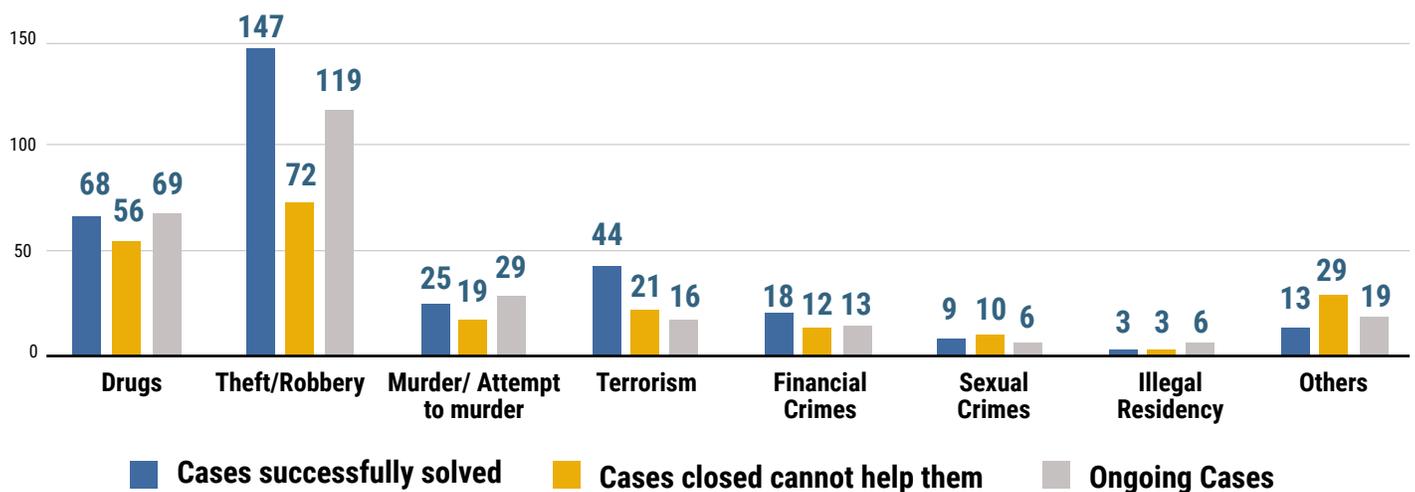
1. Gender Segregation



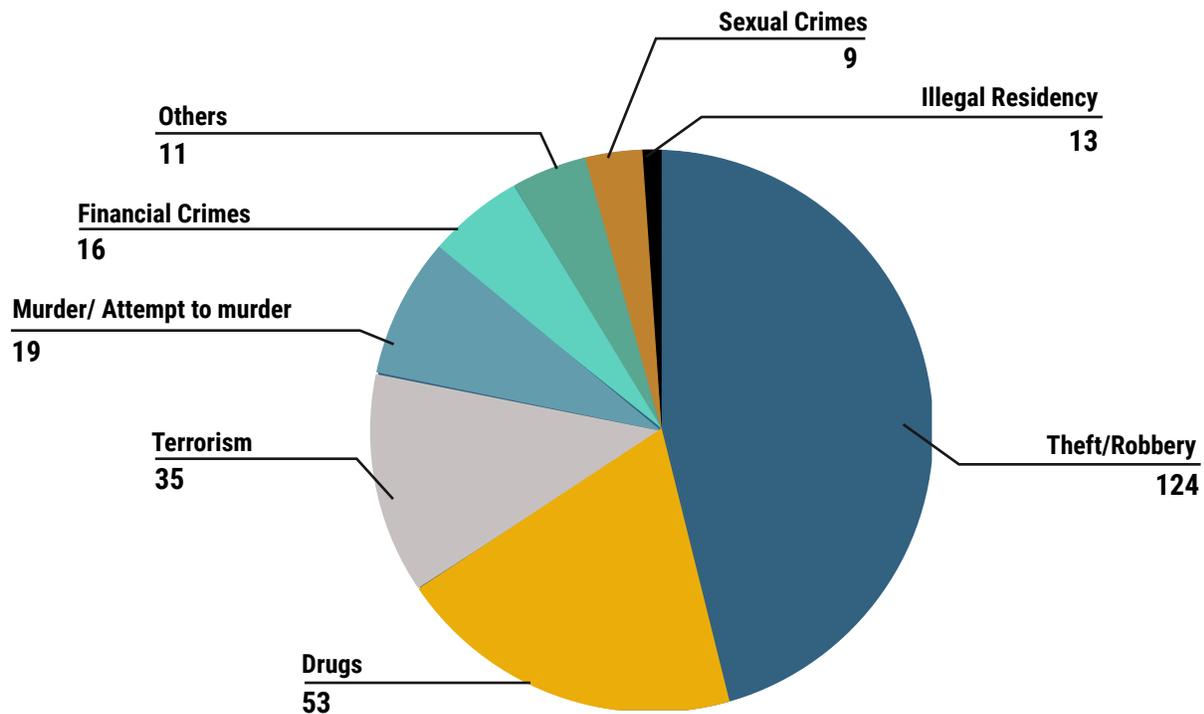
2. Nationality Segregation



3. Charge/Outcome Segregation



B Inmates Released in Successfully Solved Cases, by Charges



THE REPORT'S PROJECT

This monitoring process is conducted under the project entitled "REVIV" with the support of "AFD".

The project aims at protecting and defending the access to justice for vulnerable communities in Lebanon through the provision of legal assistance, as well as the research and advocacy on arbitrary detention and torture.

There are 3 main specific objectives for the project:

- Strengthening the possibilities of access to justice for vulnerable persons (inmates)
- Preventing the risks of arbitrary detention and torture
- Facilitating the access to psychological support for vulnerable persons victims of torture and ill-treatment.

The identification of inmates who do not have lawyers and whose legal files are blocked is a paramount issue to CLDH. CLDH's lawyers conduct weekly visits to the 23 detention centers / prisons in Lebanon in order to identify the most vulnerable persons in need of legal assistance.

Monitoring the situation in prisons facilitates the internal follow-up of legal files handled by CLDH, or necessary referrals to other organizations providing legal aid.

400 vulnerable inmates out of which 200 are at least refugees, are being identified through this monitoring report.

It is important to document and monitor the situation of prisons and detention centers in Lebanon today for multiple reasons, including:

- The criminality rate has been escalating in the past years.
- The challenging circumstances in the country, including the economic crisis, are impacting governmental institutions including the entities in charge of prisons and detention centers.



THE QUESTIONS ADDRESSED

Question A (QA):

What are the prison conditions in which inmates are living in prisons and detention centers in Lebanon in the past 3 years?

Question B (QB):

Which entities are responsible for these prisons and detention centers? What are the challenges they are encountering?

This report provides brief answers to these questions through objective and unbiased representation of the data collected.

What are the prison conditions in which inmates are living in prisons and detention centers in Lebanon in the past 3 years? (QA)

Addressing the first question (QA), the report shows the five main challenges in Lebanon's general and Bekaa's specific prisons and detention centers, listed under (I) suitable infrastructure, (II) access to basic needs, (III) the criteria for inmate classification, (IV) social support rehabilitation, and (V) legal aid.

I. Suitable Infrastructure

Rule 13 of the Standard Minimum Rules for the Treatment of Prisoners (SMRTP) discloses the necessity of ventilation, cleanliness, and the overall quality of the living conditions within the detention center, mainly by stating the following⁴:

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation (UNODC, 2015).

However, a cursory look into Lebanon's different prisons reveals otherwise. Above everything, Dr. Omar divulges the dire reality of Lebanon's prisons, as once-abandoned buildings transformed into detention centers with little to no action plan of highlighting their specialization⁵.

4 UNODC. (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. United Nations Office on Drugs and Crime.

5 KII (C), Dr. Omar Nashabe, June 13, 2022.

Even more so, CLDH's monitoring revealed an absence of suitable ventilation inside the following prisons and detention centers:

- Bint Jbeil prison
- Juveniles detention center in Dahr El Bachek (female)
- Central Roumieh Prison - Building D.

In the Juveniles detention center in Dahr El Bachek, CLDH's team highlighted the lack of air conditioning. Where in the Building D in Roumieh, there are neither windows nor possible isolation from the cold outside.

Additionally, a lack of maintenance was observed in the Juveniles department in Central Roumieh Prison.

Prisons in Bint Jbeil, Roumieh and Rachaya, which represent a microcosm to the rest of the prisons in Lebanon, indicate Lebanon's skewed perception of prisons, not as a system of rehabilitation, rather a system of retribution (punishment). Evidently, Rule 4 of the SMRTP reads what follows: ⁶

The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life (UNODC, 2015).

Except for Bint Jbeil prison where a room is equipped as a gym and a library is available, most prisons do not offer any such mental stimulation within their infrastructures, such as rooms for entertainment and psychosocial growth, all of which would ideally trigger the detainees' mental stimulus, enabling them to adapt and become all the more integrated in society upon release.

No prison provides a comfortable room for possible individual psychotherapy or social intervention. Exceptionally, some prisons have small rooms for other purposes (pharmacy, office...) that are sometimes used for psychosocial intervention. However, it is very rare for the prison personnel to allow the service provider to sit with the prison inmate one-on-one without having at least one guard inside the room. This has a great impact on the mental wellbeing and potential growth of the prison inmate.

As such, it is understood that Lebanon's prison infrastructure itself does not harbor a growth-first orientation, which should be considered a priority in detention facilities.

⁶ UNODC. (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. United Nations Office on Drugs and Crime.

II. Basic Needs

The backdrop for this part is understood only by studying the financial situation in Lebanon. With an economic depreciation crippling Lebanon's general residents, the most vulnerable communities suffer at the brink. As such, it is important to note that detention centers do not have the means to establish a budget plan, allowing them to cater for their detainees. Herein, inmates who represent the lowest level of Lebanon's social barrel become bombarded by economic blows that hinder their basic needs coverage.

"To address the unexpected Coronavirus outbreak in Lebanon, prison authorities adopted preventive measures to ensure the safety of the inmates at an early stage, such as suspending all service providers activities and reducing family visits to the prisons."⁷ For this reason, Non-Governmental Organizations were not able to visit the Lebanese prisons in 2020, unlike the visiting mechanism prior to the pandemic. The suspension of activities impacted the wellbeing of prison inmates, especially when it comes to their mental health. As for family visits, these were limited to visits by one family member with restrictions. Gradually, visits have been expanded to more family members with less restrictions, when the pandemic was controlled and the risks got lower.

In 2022, family members were able to conduct prison visits and organizations have been able to implement psychosocial activities again.

In what Dr. Raja⁸ and an anonymous source⁹ explained to be a decrease in the prison personnel's morale in managing prisons, prison inmates find themselves forced to cater for a crisis that they never asked to be a part of. Both key informants indicated that their observations are for the years 2020, 2021 and the current year 2022.

As such, the deprivation of basic needs can be illustrated with the following observations.



There are consistent electric power cuts in the prisons of Dahr El Bachek and Roumieh, and a constant worry of securing oil for the motor in Baalbeck men's prison.



There is a complete dismissal of new and clean clothing and bed sheets as in the anonymous source's description of Lebanon's prisons in general, and as observed by CLDH, in Rachaya prison, Zahle women's prison, Baabda women's prison and Qubbah women's prison.



A total absence of temperature control is pinpointed in what Judge Raja considered to be a pervasive issue attacking Central Roumieh Prison, life in prison becomes a hassle on its own.

Herein, it becomes clear that the ripples of Lebanon's financial meltdown, mirrored by Lebanon's national pound depreciation against the United States Dollar (USD), have pervasively reached prison inmates' access to medication and pills all throughout the prisons and their access to basic hospice care as explained by Judge Raja¹⁰. This has been highlighted during several visits conducted by CLDH's psychologists to the Blue building in the Central Roumieh Prison where prison inmates are not offered all medication needed. Similarly, in women's prisons in Baabda, Qubbah and Zahle, prison inmates described to CLDH's team that medication is not available unless families or relatives from outside prison can secure and buy these for them. This deteriorates the situation of vulnerable communities who do not have financial support outside prison.

7 UNODC, "Lebanon: UNODC response to COVID-19 to protect children in detention and women in prison", available at https://www.unodc.org/romena/en/Stories/2020/March/lebanon_unodc-response-to-covid-19-to-protect-children-in-detention-and-women-in-prison.html, consulted in July 2022.

8 KII (A), Judge Raja Abi Nader, June 8, 2022.

9 KII (B), Anonymous, 15 June 2022.

10 KII (A), Judge Raja Abi Nader, June 8, 2022.

Steering away from medical needs, prison inmates in Lebanon, across all age groups, suffer from a solemn drop in the quality of their foods. As such, prisons in Bint Jbeil and Rachaya show signs of a steady decline in their food's nutritious value. Other prisons elsewhere, such as ones in Baabda and Qubba, even reveal an absence of hygienic pads for their most vulnerable inmates: minors and women. Regardless of the fact that human rights necessities such as sanitation in Roumieh, clean running water in Rachaya, and insect repellents in Bint Jbeil and Qubba are all memories of the past, Lebanon's prison system is not even apt to cater for the privacy of its inmates – a bare minimum of human needs.

III. Inmate Classification

Seeing as all of Lebanon's prison centers follow Rule 11 (a) of the UNODC's (2015) SMRTP which reads that "men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate", prisons truly diverge men and women, and minors and adults. However, this is the extent of Lebanon's inmates classification and segregation¹¹.

Whether sentenced or not, detainees in Lebanon are imprisoned according to their sex and age, with complete ignorance to the type of crime committed, the needs and risks of the detainees including tendency of violence and/or criminality. The classification process is rated a zero out of ten by Prison Insider, as discussed during an interview held with the Head of the Information Desk Carolina Nascimento.¹²

Throughout this study, the experts in Lebanon's legal and security fields emphasized the importance of two pillars;



1- inmates' access to medical help,



2- the ubiquitous overcrowding in prisons.

Rule 12 (1) of the UNODC's (2015) SMRTP advises against the presence of more than "two prisoners in a cell or room"; however, the reality in Lebanon proves otherwise¹³. CLDH's protection coordinator documented in one of his field reports that in Central Roumieh Prison, one can find four inmates living and sleeping in a room that can contain no more than one individual due to its size and conditions. He also shared his observations on prison inmates sleeping on the floor, in some cases next to the bathroom door. Likewise, in Bint Jbeil prison, where in some cases two prison inmates share the same mattress.

The latter prisons whose capacities are 60, 80, or 100 individuals, have seen an upsurge in cases present within their facilities; thus, rendering the access to basic human rights.

As for the water shortage, it has been noted by CLDH in Rachaya prison, Baabda women's prison, Zahle women's prison and Qubba women's prison. Where it was observed and documented that Prison inmates and prison officers occasionally lack access to water for up to three days, increasing the risks of contamination such as scabies, and other hygiene related conditions.

Hygiene was observed as a major lack in the Building D in Roumieh, the Juveniles department in Roumieh, the women's prisons in Zahle, Baabda, Qubba and in Dahr El Bachek Juveniles detention center.

“In a situation where privacy is considered a privilege, not a right; nutrition a luxury, not a minimum; and medical care a dream, not a need, the issue of overcrowding in Lebanon's prison system impedes on human rights, hinders basic needs, and curbs social reintegration.”

11 UNODC. (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. United Nations Office on Drugs and Crime.

12 KII (E), Carolina Nascimento, Head of the Information Desk, Prison Insider, June 24, 2022.

13 UNODC. (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. United Nations Office on Drugs and Crime.

IV. Psychosocial Rehabilitation of Inmates

As previously discussed, mental stimulus shapes one of the most rigid tiers that separate prison systems from ones oriented toward rehabilitation and those toward retribution. However, with stringent situations across Lebanon, transportation has become a privilege only the few can afford.

The way this phenomenon is mirrored onto Lebanon's prisons, especially those which are relatively farther away from center points, is through a sharp decrease in visits. As such, the repercussions that the absence of family visits have on juvenile rehabilitation becomes multi-tiered, affecting their future livelihood. Prisons and detention centers in Qubba, Bint Jbeil and Dahr El Bachek are but three of the many facilities in Lebanon witnessing this impeding challenge. UNODC's (2015) SMRTP Rule 23 (2) reveals that "young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise¹⁴. To this end, space, installations and equipment should be provided".

Nonetheless, detention in Rachaya's prison, for example, does not even cater for physical entertainment as a source curbing the onset of mental runoff. Similarly, across most if not all prisons in Lebanon, the trend in the lack of motivation and support for a continued education, paralleled with ignoring any such incentive for mental stimulus behind bars, emerges as an inherently corrupt representation of an even more corrupt overarching system of governance.

V. Legal and Judiciary Support

As noted by Dr. Omar,¹⁵ judicial files take the second most level of urgency after medical services in Lebanon's prison system. Upon this, it becomes apparent that the inmates' awareness of their own judicial files, legal standing, and court hearings are of utmost importance.

Withstanding the fact that in Roumieh's Prison Building D, individuals under custody witness an apparent lack of legal clarification along with an absent legal follow-up, the reality is unconstitutional. To this extent, Dr. Omar explains that it is critical to maintain the inmates' accessibility to files, especially when it comes to their legal situation, for it is pivotal for the inmates' hope to leave prison¹⁶.

For instance, 26 out of 31 prison inmates in Rachaya prison have not been sentenced yet, as noted by CLDH in February 2022.

The situation gets even trickier when mirroring this reality with CLDH's Protection Coordinator's disclosures¹⁷. Evidently, individuals under custody in Lebanon do not have the privilege of holding a job for a stable income. This is a direct result of the discrimination they face when applying to jobs due to their criminal record that would include a "Black Mark". The "Black Mark" does not imply legal restrictions to get a job, but a social barrier where it impacts most employers' evaluation of the former prisoner. In other words, prejudgments remain at the core of society's prevailing culture. As well, more often than not, the same individuals come from precarious socio-economic conditions, the fact which makes it difficult to maintain the flow of their legal provisions, especially when dealing with increased legal fees.

A final thought on this part comes in the form of an underrated, yet inherently important, notion being the inmate transportation "boxes" (vehicles), or lack thereof. As per the information shared, these transportation vehicles ensure the inmates' safety going from their detention centers to their legal hearings and back¹⁸. Yet, under the weight of Lebanon's financial meltdown, these outdated boxes have been rendered, (i) unable to carry several inmates due to overcrowding, and (ii) unable to accommodate different routes due to the increasing fuel prices.

14 UNODC. (2015). *The United Nations Standard Minimum Rules for the Treatment of Prisoners*. United Nations Office on Drugs and Crime.

15 KII (C), Dr. Omar Nashabe, June 13, 2022.

16 KII (C), Dr. Omar Nashabe, June 13, 2022.

17 KII (D), CLDH's Protection Coordinator, June 10, 2022.

18 KII (B), Anonymous, 15 June 2022.

What are the prison conditions in which inmates are living in prisons and detention centers in Lebanon in the past 3 years? (QA)

Based on this research's findings, three components constitute the answer to this question: the entities' distribution of roles when it comes to prison management (I), the prison personnel's expertise and knowledge including training sessions (II) and the major challenge that the personnel is facing, throughout the current economic crisis' and its impact on their workflow and workload (III).

I. Distribution of Roles

Since 1949, the Lebanese Decree No. 14310/1949 regulates prisons' operations and management in Lebanon. Based on its first article, "prisons are under the authority of the Minister of Interior and Municipalities" ¹⁹.

The Order of the Gendarmerie, under the Ministry of Interior and Municipalities, is divided into different sectors, among which a sector is responsible for prisons.

Article 11 of the Decree No.14310/1949 states:

"The Order of the Gendarmerie ensures that [Internal Security Forces] officers and personnel lead all prisons and their internal regulations and guard them from abroad. Women's prisons are guarded internally by women guards who by function, are placed at the disposal of the Gendarmerie Command and are appointed by a decision of the Minister of Interior and Municipalities at the suggestion of the Gendarmerie Command."

In the scope of a decision by the Council of Ministers in 2012, a transfer of authority in the prison system happened. This resolution (decision) required planning for a national strategy to transfer the authority of prisons administration from the Ministry of Interior and Municipalities to the Ministry of Justice (the Prisons Directorate) in a duration of 5 years. ²⁰

Even if this strategy was not set and finalized yet, there were a number of positive outcomes. The Prisons Directorate at the Ministry of Justice started playing a role in the prisons administration. This happened through:

- Inspecting prisons,
- Implementing rehabilitation, and
- Creating networks between the Internal Security Forces and the Ministry of Justice.

Judge Raja has stated that there was neither dialogue nor communication between the two ministries. However, the situation has changed as many collaborations and coordinations are taking place today between the Ministry of Justice and the Ministry of Interior. ²¹

The Judge added, "the responsibility of the prisons is not the responsibility of one ministry, rather that of the Lebanese state as a whole"²². What the Prisons Directorate at the Ministry of Justice did is it established bridges between state entities and administrations on one side and civil society organizations on the other as these organizations are somewhat filling the gap of the government.

¹⁹ Article 1 of Lebanese Decree 14310/1949 - Organizing Prisons
²⁰ Resolution of the Council of Ministers No. 34 dated 07/03/2012.
²¹ KII (A), Judge Raja Abi Nader, June 8, 2022.
²² Ibid - KII (A), Judge Raja Abi Nader, June 8, 2022.

In this regard, CLDH observed the dependency of the prison administration on Non-Governmental Organizations, throughout its prison visits. For instance, CLDH keeps providing stationary, equipment, materials and logistics for the prison administration due to lack of these items at the offices, and this imposed challenges on the follow-up of prisoners' legal cases.

Between September 2021 and May 2022, CLDH provided materials to prisons and courts as summarized in the following table.

26 Prisons, Prison Clerkships, Detention Centers and Police Stations	26 Courts, Court Clerkships and Chambers Offices
Materials: Papers Envelopes Pens Printers Printer toners Interphone intercom Rechargeable lamps Staples Facial masks	Materials: Papers Envelopes Pens Printer toners Staples
White board markers Erasers Glue sticks Sharpeners Binder clips	
Areas: Zahle, Roumieh, Tripoli, Jezzine, Tyre, Bint Jbeil, Baabda.	Areas: Saida, Amioun, Batroun and North.

As for the prison visits, CLDH observed that rare are the authorities that conduct prison visits even though this is part of the legal duties and obligations of many State entities including the Minister of Interior and Municipalities, Judges, the National Prevention Mechanism, etc.

As for the Head of the Prisons Directorate at the Ministry of Justice, Judge Raja conducts constant visits to prisons, either for meeting with inmates upon their requests, or if a search warrant is submitted. Judge Raja reports on all observations by detailing prison conditions, inmates' situation and prison personnel's situation. His reports include sets of recommendations which are submitted to concerned entities.²³

Currently, the roles are distributed between the Ministry of Interior and Municipalities and the Ministry of Justice as follows:

These are not exhaustive lists of roles, rather some examples to set a comparative view between the two ministries.

Ministry of Interior and Municipalities Prisons Sector at the Gendarmerie Command	Ministry of Justice Prisons Directorate
Management of prisons	Setting up an inspection mechanism and implementing it
Administrative follow-ups on inmates' files	Ensure the proper training for prison employees
Transferring inmates from/to prisons and detention centers	Supervision and follow-up of prison conditions
Source: Lebanese Decree No. 14310/1949	Source: Resolution of the Council of Ministers No. 34 dated 07/03/2012

Recently in June 2022, the Head of the Caretaker Government Najib Mikati issued a Decision No. 79/2022, establishing a joint committee composed of the following ministers:



Ministry of Justice



Ministry of Interior, Municipalities and National Defence

The main tasks of this committee are the below:

- Updating the mechanism prepared by the Joint Commission for the Transfer of Supervision of Prisons to the Ministry of Justice and approved by the Council of Ministers in its resolution No. 34 of the date of 7/3/2012,
- By conceptualizing practical steps for its implementation after its day, with the use in the performance of its functions of such personnel as it deems appropriate in the public administration, competent and experienced;
- And submitting its report containing its recommendations and suggestions (as soon as possible) to the Prime Minister for submission to the Council of Ministers.

²³ Ibid - KII (A), Judge Raja Abi Nader, June 8, 2022.

Furthermore, the Sanctions Reduction Committee plays an important role in preventing overcrowding issues and enhancing prison conditions.

Article 2 of the Lebanese law on the execution of sanctions No 463/2002, as amended by the law 183/2011, stipulates the following:

- “The proposal to reduce the penalty shall be submitted by a committee in each governorate consisting of:
- A full-time judge appointed by the Minister of Justice, with the approval of the Supreme Council of the Judiciary, as President.
 - The Commander of the Central Prison Company for his own prisons.
One or more of the regions’ prisons where prisoners’ conditions are examined.
 - Two doctors: one is a psychiatrist named by the Minister of Justice, and the other is a prison doctor in all matters relating to organic diseases who joins the Committee only when considering cases falling under category III of article IV.
 - A social assistant named by the Minister of Justice.”

It has been noted that some members of the committee have been resigning, including psychiatrists, due to the low income they receive and the unbearable conditions in which they have been working under due electricity shortage or lack of at the offices.

This is an alarming issue as it has been delaying potential decisions on sanctions reduction, which negatively impacts the situation of prisoners inside prisons. The committees have not been productive for months (in 2022).

After having developed what roles State entities play in relation to prisons in Lebanon, this research’s data analysis requires elaboration in particular on the knowledge and expertise of the prison personnel, meaning the Internal Security Forces officers who guard and manage prisons.

II. “Knowledge Acquired Through Experience”

“The prison officers complete their duties based on the knowledge acquired through experience, as they learn by doing.”²⁴

This was how Judge Raja initiated his answer when asked about training sessions that prison officers attend. During key-informant interviews, all interviewees answered “yes” to whether the prison staff attends training sessions on the management of prisons or not. It was highlighted though that the trainings are always delivered by Non-Governmental Organizations.

Nevertheless, the capacity building that prison officers receive remains insufficient for the following reasons:

1. It is never systematic and continuous, but occasional and temporary.
2. The legal regulations that officers abide by do not provide Nelson Mandela Rules or other international standards for prison management. Therefore, there are no clear obligations that guarantee human rights and rehabilitative approaches.
3. Oftentimes, officers do not all agree with the content given by the trainers, and thus do not see the need to abide by it.
4. Internal Security Forces officers are often under a rotational measure. They can rotate from being traffic police officers to filling the role of prison guards within months.
5. Sometimes the trainers do not come from the same background as the officers, especially when they are not residing in Lebanon. This could cause the training content to remain theoretical rather than practical.
6. Non-Governmental Organizations have the capacity sometimes to train 30 officers for example, but the Internal Security Forces can only send 15 members. When the 15 trainees go back to their work, they might not be able to make a change as the majority there did not attend the training and still lacks awareness as to the prison management.

²⁴ Ibid - KII (A), Judge Raja Abi Nader, June 8, 2022.

In this regard, Dr. Omar mentioned the importance of having an organization which is expert and knowledgeable in prison management, not a group of officers attending training sessions every once in a while. He explained “we need the bottom-up restructuring of the prison system”²⁵.

Additionally, the need to raise awareness among prison officers keeps increasing. For instance, Judge Raja mentioned that officers “do not even know that they can find a way to communicate with the prisoners and detainees, without needing to use torture or abuse against them”²⁶.

“Are security forces receptive to the training they are offered?”²⁷

When asked this question, CLDH’s Protection Coordinator who continuously visits prisons in Lebanon, answered with the following:

“In their current situation, they are not receptive.”²⁸

At this stage, the report develops the main constraint encountered by the prison staff: the economic crisis.

III. The Economic Crisis’ Impact on the Officers

During all key-informant interviews, interviewees described the officers’ needs by mentioning that some are not even granted their basic rights due to their low income, which is impacting their mental health tremendously.

CLDH’s Protection Coordinator explained that he faces challenges when visiting prisons as the prison staff sees him privileged for working with a Non-Governmental Organization and getting paid in USD.²⁹

He explained that he hears so many sighs and nagging from the prison officers³⁰, especially that their salaries are drastically low as they reach an average of 40 USD per month.

One tends to believe that the prison conditions have an impact on the inmates and their mental health. This is far from being exact when one omits mentioning that the prison staff is also living and working in the same conditions.

“Prison officers are also suffering at the brink of the economic crisis. It is shameful to see that a prison officer is taking a prisoner for medical examination or surgery, when they cannot provide medication for their parents because of the economic crisis”³¹.

Additionally, Dr. Omar mentioned that prison officers “are doing a lot of efforts when working in prisons, but they need resources which the government is incapable of providing”³².

As a consequence to the depreciation of the Lebanese pound, tension occurs between prison officers and inmates. This would result in falling under a vicious circle:

25 KII (C), Dr. Omar Nashabe, June 13, 2022.

26 KII (A), Judge Raja Abi Nader, June 8, 2022.

27 KII (D), Question asked by the interviewer to CLDH’s Protection Coordinator, June 10, 2022.

28 KII (D), CLDH’s Protection Coordinator, June 10, 2022.

29 Ibid - KII (D), CLDH’s Protection Coordinator, June 10, 2022.

30 Ibid - KII (D), CLDH’s Protection Coordinator, June 10, 2022.

31 KII (B), Anonymous, 15 June 2022.

32 KII (C), Dr. Omar Nashabe, June 13, 2022.



CONCLUSION AND RECOMMENDATIONS

The final thoughts of this monitoring report come as reinstating the urgency of reforming the prison system in Lebanon. Be it through Human Rights encroachments or constitutional breaches, prisons in Lebanon stand at the crossway between choosing to emphasize justice or to highlight corruption. To this extent, the recommendations offered by CLDH to transform Lebanon's prisons and detention centers into hubs of human rights that stimulate social reintegration and trigger rehabilitation at the expense of retribution are multi-tiered.

Suitable Infrastructure (I)

For the Prison Administration:

- Divert resources to afford solar panels; thus, decreasing electric cuts and increasing temperature controls.
- Repair water filters and easing the sewage system at facilities.

Basic Needs (II)

For the Prison Administration:

- Urgent intervention is needed to ensure the flow of medical aid to prisoners and inmates.
- Diligent effort is required to erect a budgeting framework, curbing the weight of the financial meltdown on prisons.
- Setting a serious will to change the prison system, not just hypothetical rhetoric.

To the Civil Society Organizations (NGOs, INGOs and Bar Associations):

- Prioritize a diversion of funds for the sake of medical care, and Provide adequate hygiene kits for each individual.
- Provide inspections on sleeping mats and other material that might raise health concerns.
- Provide legal awareness for individuals under custody.

Inmate Classification (III)

For the Prison Administration:

- Reduce the number of inmates in pre-trial detention by following up on legal files with lawyers and coordinating with concerned organizations.
- Ensure proper classification and separation in detention centers, starting with removing juveniles in need for protection from Dahr El Bachek detention center where juvenile offenders are held.

To the Civil Society Organizations (NGOs, INGOs and Bar Associations):

- Increase efforts to organize training sessions aimed at changing the prison system from within, starting with the security personnel.
- Strengthen coordination between organizations by identifying challenges and dividing the roles in the scope of a prisons working group.

Psychosocial Rehabilitation of Inmates (IV)

To the Council of Ministers/Ministries and the Parliament:

- Reinforce the concept that justice comes from prevention and protection, not nepotism and clientelism.

To the Prison Administration:

- Increase the receptivity of training and workshops aimed at educating the security personnel.
- Conduct specialized training programs for prison managers to improve their leadership and management skills ensuring their practices align with international standards.
- Improving the working conditions of the prison staff.
- Enhance the proper use of accountability mechanisms.

To the Order of Psychotherapists, Ministry of Public Health, and Ministry of Justice:

- Establish a supervised and pro-bono program to support people deprived of their liberty mentally as part of the training program for the masters students studying Clinical Psychology.

Legal and Judiciary Support (V)

To the Council of Ministers/Ministries and the Parliament:

- Create a specialized branch managing prisons, other than the Ministries of Justice and Interior.
- Monitor the fulfillment of the judges' mandate in conducting prison and detention facilities visits.
- Modify the law on alternative measures to imprisoning as per a consultation workshop to be led by the human rights parliamentary committee and conducted with the CSOs, INGOS, and embassies.

With this said, nepotism, clientelism, and overall corruption remain a pervasive issue in Lebanon. Although for the purposes of this monitoring report, prisons across Lebanon have proven to be in congruence with Human Rights, some prisons whose political backing shines through, can offer a Class-A treatment to their chosen inmates, putting such facilities under the title of luxury. The misconception, however, lies in the fact that those nepotistic environments, sought out by a minority of clientele, would constitute the bare minimum of provisions compared to international standards. Herein, the dire circumstances in Lebanon's prisons emerge.

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Interview with a key-informant who preferred to remain anonymous Date: 15 June 2022

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Interview with Dr. Omar Nashabe, Former Consultant of the Minister of Interior on Prisons Related Manners Date: 13 June 2022

KII (D)

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