

Lebanon: Two weeks of hunger strike for Mr. Tarek Rabaa
Human rights organizations demand his immediate release

Mr. Tarek Rabaa has been on hunger strike for 2 weeks. The undersigned organizations demand his immediate release pending trial, which would effectively end the excessive period of pre-trial detention for which he has been held. Furthermore, we are extremely concerned by the continuation of his trial in front of the military court as well as by the lack of investigation into the alleged torture he might have been subjected to, and that our organizations raised in a press release in 2011.

Tarek Rabaa, a 43-year old Lebanese citizen, has been on hunger strike in Roumieh prison since 29 April 2013 to demand his release. He has been in pre trial detention since 2010 on charges of collaboration with Israel. His trial by the military court in Beirut is based on confessions allegedly extracted under torture at the Ministry of Defense.

In spite of the statement issued by our organizations on 8 November 2011, no investigation seems to have been opened into the allegations of torture and arbitrary detention inflicted to Mr. Rabaa.

Mr. Rabaa, an engineer at Alfa Telecom Company, was summoned to the Ministry of Defense for investigation on 12 July 2010 where he was reportedly tortured with electric shocks - additionally he was left standing during 20 days and slapped very severely on his ears. He was only allowed to see his sister - acting as his lawyer- 32 days after his arrest. According to available information, he was subjected to torture and ill-treatment while being held at the Ministry of Defense detention center for 108 days - before being transferred to Roumieh prison, where he is still detained.

During the investigation, Mr. Rabaa refused to sign most of the documents presented to him by the Lebanese army intelligence, but his full name (not his signature) was handwritten at the bottom of the pages and then presented to the military justice as his “confession”.

His trial in front of the military court began on 7 February 2011 and is still ongoing, in the course of which the defense raised allegations of torture by providing forensic reports to the court. His next session will take place on 17 May 2013.

If proven, the above mentioned allegations represent serious violations of the Lebanese criminal procedure code¹ and of Lebanon’s international commitments². In this case the undersigned organizations would consider that Mr. Rabaa is a victim of torture and arbitrary detention and should not only be immediately released, but the perpetrators should also be held accountable and brought to justice. Victims of torture must be ensured the right to an effective remedy for the psychological and physical pain inflicted to them, as well as the right to reparation with compensation and rehabilitation. Additionally, although Mr. Rabaa is suspect of collaboration with Israel however remains innocent until proven guilty by a court of law and by insuring his right to a fair trial and has the right to an effective remedy by a competent tribunal for acts violating his fundamental rights granted to him by the Lebanese Constitution.

¹ The Lebanese criminal procedure code notably provides a maximum delay of 48 hours for custody detention, the right for the suspect to remain silent and the cancellation of any confession extracted under torture.

² Lebanon is a state party to the International covenant on civil and political rights that notably provides the rules for a fair trial and to the Convention against torture and other cruel, inhuman or degrading treatments that strictly prohibits torture.

The undersigned organization would also like to reiterate that the prosecution of civilians before the Military Court may constitute a serious breach to the right to a fair trial as referred to also in Principle No. 5 of the Basic Principles on the Independence of the Judiciary

The undersigned organizations fully support the demand of Mr. Rabaa to be released pending his trial, hold the Lebanese authorities responsible of his physical and psychological safety and urge them once again to open an immediate, independent and thorough investigation into the alleged torture of Mr. Tarek Rabaa.

May 15, 2013

Signatories:

- Lebanese Center for Human Rights (CLDH)
- Alkarama Foundation
- ALEF - Act for human rights
- Working Together for Human Rights (AEDH)
- Action by Christians Against Torture (ACAT – France)
- Euro Mediterranean Human Rights Network (EMHRN)
- World Organization Against Torture (OMCT)