



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1512th meeting

Held at the Palais Wilson, Geneva, on Friday, 21 April 2017, at 3 p.m.

Chair: Mr. Modvig

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Initial report of Lebanon (continued) (CAT/C/LBN/1)

1. *At the invitation of the Chair, the delegation of Lebanon took places at the Committee table.*

2. **Ms. Riachi Assaker** (Lebanon), replying to questions raised at the 1509th meeting, said that the delegation would attempt to answer the Committee's questions in the same spirit of cooperation and transparency with which it had welcomed the Committee's visit in 2013, despite being of the opinion that some of the issues raised by the members were irrelevant to the discussion of the initial report. Even though Lebanese groups were fighting in the Syrian Arab Republic, none of the many reports by the Independent International Commission of Inquiry on the Syrian Arab Republic had named any of them as being involved in war crimes or crimes against humanity. Lebanon had a mutually respectful relationship with the Commission. Notwithstanding the fact that the matter fell outside the Committee's remit, the relationship between the Government and Hizbullah, and indeed all the various political components, was defined in a ministerial statement; Hizbullah was represented in the parliament.

3. **Mr. Moussa** (Lebanon) said that, despite the fact that various disagreements and delays in the election of the President had meant that the parliament had not sat for quite some time, it had nonetheless held emergency legislative sessions, including on a proposal to set up a national human rights institution and an independent national standing committee for the prevention of torture. The Government was resolute in its commitment in that regard. The committee would be appointed by the Cabinet, but various entities, such as civil society organizations, the bar association and the union of physicians, could submit candidates in keeping with the criteria laid down in the 2016 Act on Establishment of a National Human Rights Institution, which took account of the Paris Principles. Although the Act did not specify any religious distribution, it did stipulate that committee membership should be gender balanced. The Ministry of Justice had prepared a draft decree setting the wage of committee members and mandating a minimum of 10 years' experience. The Cabinet had received a list of candidates and should appoint the members within three months. Since the adoption of the Act, several seminars had been held in cooperation with the Office of the United Nations High Commissioner for Human Rights and other partners; the next, on best practices, was scheduled for 28 April 2017.

4. **Ms. Al Khatib** (Lebanon) said that the offence of torture was not currently defined in domestic law; however, many laws, including the Criminal Code and the Code of Criminal Procedure, focused on the protection of human rights in general and the rights of detained persons in particular. Acts of torture could carry a penalty if other offences, such as physical harm, defamation, intimidation and threats, were committed concurrently. The laws in force also provided for punishment for inflicting psychological harm. Law enforcement officers could not invoke a superior's order as an excuse for committing acts of torture, and they had the right to disobey an unlawful order regardless of the rank of the person who gave it. Torture could not be justified by a state of emergency or national security considerations. There was no victim and witness protection programme, but judges had the authority to take subsidiary measures, which could include such protection.

5. Although no fixed date had been set for adoption of the bill on criminalization of torture, it had been thoroughly discussed and would shortly be ready for submission to the parliament, albeit without taking into account the observations of the relevant ministries. The definition of torture contained in the bill was fully in line with the Convention and covered torture committed at all stages of proceedings against a detained person. The bill addressed the principle that penalties should be proportional to the seriousness of the offence. It would amend various articles of the Code of Criminal Procedure, including those on the statute of limitations and the prosecution of public servants, and would introduce the right to rehabilitation. While torture would remain subject to limitation, the limitation

period would henceforth begin when a detainee was released rather than on the date of the alleged torture.

6. **Ms. El Asmar** (Lebanon) said that measures were in place to ascertain whether a confession had been obtained under torture. An investigation was initiated whenever there were sufficient grounds to believe that torture had been committed. Since there was no systematic practice of torture in Lebanon, it could not be said that cases of torture were difficult to demonstrate because security personnel were experienced at hiding the results of their actions. Detainees had the right to be examined by a forensic doctor at every stage of proceedings, and examinations could be requested by their relatives or lawyers. Persons who were held for more than four days were entitled to a second examination. While exact figures were not available on the prosecution of perpetrators of torture in Lebanon, there was a large number of relevant cases; there was no evidence, however, of Lebanese nationals having committed torture abroad. Arrested persons had the right to speak or to remain silent, and the choice to remain silent should be reflected in the police report. When a person claimed to have confessed under duress, the court assessed the weight to be given to the confession and could ignore or dismiss it. With advances in technology, confessions were no longer considered to be the definitive proof of guilt; rather, the justice system relied more on tangible evidence such as genetic data and information from electronic position fixing devices.

7. **Mr. Kaed Bai** (Lebanon) said that the Ministry of the Interior and the Directorate-General of General Security were determined to combat torture committed at all stages of proceedings and by all law enforcement officers irrespective of rank. A complaints office in line with international standards had been set up and its staff would receive appropriate training. A strategic plan had been adopted to modernize the Human Rights Division at the Ministry of the Interior. The authorities were collaborating with the embassy of the United Kingdom of Great Britain and Northern Ireland with regard to statistics on cases of torture.

8. **Ms. El Asmar** (Lebanon) said that the extraordinary courts had been established in very specific circumstances. When they no longer had a *raison d'être*, they would be dissolved by the authorities. The fact that the members of the Justice Council were appointed by the executive branch did not undermine the Council's independence; in fact, those appointed to the Council were among the best judges in the system. Decisions of the Council currently were not appealable, but a bill to amend that provision was before the parliament.

9. **Mr. Rizkallah** (Lebanon) said that the military courts were regulated by law and had jurisdiction over specific offences, including espionage, treason, unlawful carrying of a weapon and terrorism, even when the suspect was a civilian. Children were prosecuted when they were accessories to an offence committed by an adult. However, in such situations, the military court merely ruled on the child's guilt; the sentence was handed down by the juvenile court. All safeguards were upheld, including the mandatory presence of a social worker during the investigation phase.

10. **Mr. Hammoud** (Lebanon) said that the decisions of the military court were appealable.

11. **Ms. El Asmar** (Lebanon) said that the Supreme Judicial Council included a Court of Cassation judge and the head of the Judicial Inspectorate. As a guarantee of independence, its five members were appointed by the Council of Ministers for a non-renewable three-year mandate. The judiciary was accountable to the Council. Any cases of corruption were brought before a disciplinary committee and could result in demotion or dismissal. Judicial corruption had never led to acts of torture.

12. **Mr. Rizkallah** (Lebanon), referring to the case of a Syrian refugee who had allegedly been arrested and tortured on account of his sexual orientation, said that he was not at liberty to divulge the man's name because he had a right to privacy. However, he could disclose that the man had not been arrested on the grounds of his sexual orientation but because he had been under investigation by the Ministry of Defence for carrying a fake identity card and for suspected membership in a terrorist group. He had been held in military police facilities for less than 24 hours before being handed over to the Internal Security Forces. Notwithstanding the report of the medical examination, which was

appended to the complaint filed by Human Rights Watch and indicated that at the time of the examination the man had water behind one of his eardrums and swelling of the testicles, he had not been subjected to the practices described in the complaint.

13. **Mr. Kaed Bai** (Lebanon) said that the Public Prosecutor at the Court of Cassation had issued a circular banning intrusive body searches of persons and requesting the public prosecution offices at the Court of Appeal to stop authorizing rectal searches. All detainees had the right to an HIV/AIDS examination, free of charge. Questions still surrounded the case of the 36 men arrested during a raid on a cinema who had been subjected to rectal examinations, and information would be reported as the case unfolded. Any violations of the rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) persons were investigated.

14. **Ms. Al Khatib** (Lebanon) said that article 47 of the Code of Criminal Procedure laid down the rights and fundamental guarantees for all detainees. Investigations into cases must be conducted by the legally competent authority, and judicial officers were therefore entitled to launch investigations only on instruction from the Public Prosecution Office. Detainees had the right to an interrogation without delay; to be informed of the grounds for their arrest and of the evidence of the charge against them; to seek assistance from a lawyer; to make a telephone call; and to request a medical examination by a forensic pathologist. The Public Prosecutor at the Court of Cassation did not deny any requests filed for a medical examination, and the forensic doctor submitted the medical report within 24 hours following the examination. Other provisions of article 47 of the Code of Criminal Procedure set out the right of detainees to remain silent and to refrain from taking an oath. The Public Prosecution Office oversaw the judicial police officers dealing with cases involving minors, women and foreign nationals, who were afforded special legal safeguards. With regard to minors, the law established the obligation to take the suspect's age into account during interrogation, to avoid legal proceedings where possible, and to ensure strict segregation of juvenile and adult detainees. With regard to women, the law ensured that female detainees were afforded fair treatment that took into consideration gender differences and equality. Foreign nationals were entitled to, inter alia, interpreters and communication with the relevant consulate.

15. **Mr. Hammoud** (Lebanon) said that, as a signatory to the Optional Protocol, the State party received visits to prisons from various international and national bodies, including civil society organizations and the International Committee of the Red Cross. While individual cases of torture might come to light, there was no systematic torture in the State party. The Public Prosecution Office at the Court of Cassation was competent to receive complaints regarding acts of torture and take follow-up action. Regarding the case of a person under indictment for drug trafficking mentioned by Mr. Hani, while it was not clear which bodies had carried out the arrest, the individual had subsequently been referred to the competent authorities.

16. **Ms. Al Khatib** (Lebanon) said that the Public Prosecutor at the Court of Cassation had issued a circular to all prison authorities reiterating the obligation to respect the legal time frames for custody. Under national legislation, the period of police custody during the preliminary investigations was 48 hours, which could be extended for a further 48 hours upon a reasoned decision of the Public Prosecutor. Where the penalty for the offence was imprisonment of less than one year, the person could not be held in custody for longer than 48 hours.

17. With regard to the rights of detainees, the Public Prosecutor at the Court of Cassation had the right to monitor all operations by the judicial police. Judicial police officers could report any cases regarding ill-treatment of persons in custody to their superiors, and all violations in that regard were punishable. The Public Prosecutor was required to act every time he or she received proof of illegal acts. On the question of arbitrary detention, the detention of an Ethiopian national for 10 days before being brought before a competent court did indeed constitute a violation of that person's rights and therefore required intervention by the Public Prosecutor in order to ensure that all those responsible were held accountable. If those allegations were proved, the appropriate measures would be taken.

18. Alternatives to custody were defined and governed under article 111 of the Code of the Criminal Code of Procedure. In practice, however, judges most frequently turned to the system of sponsorship (*kafala*) and travel restrictions, as other alternatives were costly. So far as secret detention centres were concerned, section XI (f) of the report, on safeguards for the protection of individuals especially at risk, explained that the Code of Criminal Procedure explicitly prohibited secret detention.

19. **Mr. Hammoud** (Lebanon) emphasized that there were no State-run secret detention centres in the State party. By law, all arrests and detentions in registered centres were reported.

20. **Mr. Kaed Bai** (Lebanon) said that no centre for torture had been set up under the aegis of the Ministry of Defence. The detention centre in Achrafieh had been established on Intelligence Service premises and operated in line with the law. While hard labour in prisons was permitted under the Criminal Code, it was rarely imposed in practice and was not a form of torture in any case.

21. **Mr. Youssef** (Lebanon) said that rules drawn up in 2015 regulated the entry, exit and re-entry of Syrian refugees to the country. A new policy had removed the obligation for Syrian refugees registered with the Office of the United Nations High Commissioner for Refugees to pay US\$ 200 to apply for a renewal of residency permits. The 4,000 registered Syrian workers in the country were bound by different rules. The 14 non-Lebanese nationals referred to by Mr. Touzé had been accused of crimes and brought to justice but had not in fact been expelled. Although the State party had not ratified the 1951 Convention Relating to the Status of Refugees, the principle of non-refoulement was strictly observed, particularly with regard to Syrian refugees. A memorandum of understanding had been signed between the Office of the United Nations High Commissioner for Refugees and the Directorate-General of General Security to ensure fair and dignified treatment of all asylum seekers.

22. **Mr. Hammoud** (Lebanon) said that deportation orders issued to foreign nationals convicted of a crime in the State party were not executed where subsequent assessments revealed that the individuals concerned would be at risk of torture upon their return.

23. **Ms. Al Nouairi** (Lebanon) said that, as at 18 April 2017, around 6,000 men and 270 women were detained in the State party. There were 147 juvenile detainees, while 174 minors were serving a juvenile sentence. Around 60 per cent of prisoners were Lebanese and 40 per cent were foreign nationals, over half of whom were Syrians. The number of Lebanese minors detained was only slightly higher than that of Syrians, which stood at around 43 per cent. Since 2014, there had been a gradual decrease in the number of Syrian and Palestinian detainees in the State party.

24. Children were never allowed to be in contact with adults while they were in custody or in prison. They were supervised by the Ministry of Justice and the Directorate for Children. The Directorate of Prisons, which had been set up under the Ministry of Justice in 2012, was committed to upholding prisoners' rights and monitoring their living conditions. Staff across all prisons were trained by the Ministry of Justice, and court personnel received information on prisoners' and detainees' rights. Reports on detainees awaiting judgment were reviewed by the Public Prosecutor at the Court of Cassation, who subsequently carried out unannounced visits to the relevant detention centres and drew up reports on the cases concerned. To date, six such reports had been submitted to the competent authorities, who had taken the necessary steps. There was close cooperation between the Ministry of Justice and the prison authorities. Under the Ministry of Justice, vocational training was provided to prisoners by qualified professionals with a view to facilitating their employment upon release.

25. A committee had been set up under the Ministry of Justice to address the issue of penalty reduction, which engaged with detainees on an individual basis to improve their behaviour and reduce their sentences. It also ran training workshops to raise prisoners' awareness of their rights and organized cultural events in detention centres.

26. A project had been launched in June 2015 in cooperation with the Restart Centre for the Rehabilitation of Victims of Violence and Torture, and financed by the European Union,

to strengthen forensic medicine in the State party. As part of the project, a database would be established under the Department of Forensic Medicine, and information on the training and appointment of forensic doctors would also be registered. The provision of continuing education for forensic doctors was ensured. In addition, a forensic medicine centre had been established at the Palais de Justice in Tripoli in 2015, which was to be expanded to courts in other regions. Training for judges covered the implementation of the Convention, the Optional Protocol, and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). Additional training on the rights of detainees was afforded to judges in coordination with Dignity — the Danish Institute against Torture.

27. **Mr. Kaed Bai** (Lebanon) said that, since existing legislation providing for a prison complaints system was somewhat outdated, work was under way on the establishment of a new complaints mechanism. An ad hoc office had been set up to receive complaints in the Roumieh prison, in cooperation with the Bureau of International Narcotics and Law Enforcement Affairs at the United States embassy in Beirut. The authorities dealt with violence among prisoners on a case-by-case basis in accordance with the relevant laws and regulations. NGOs and independent committees were granted access to visit prisoners, and that would continue to be the case after the establishment of the national human rights institution. The Government was doing its utmost, with the available resources, to improve living conditions in prisons, and to that end cooperated with local, regional and international bodies, such as the International Committee of the Red Cross and the United Nations Development Programme. All detention centres and prisons were constantly monitored, and the sexual harassment and rape of girls were completely unacceptable and constituted disciplinary violations. Solitary confinement was provided for under Decree No. 14310 and ranged from 4 days to a maximum of 30 days if ordered by the Commander of the Gendarmerie. There were no secret prisons in Lebanon.

28. **Mr. Hammoud** (Lebanon) said that male guards guarded women's prisons externally but female guards were responsible for monitoring all activities inside them.

29. **Mr. Rizkallah** (Lebanon) said that many of the individual cases cited by the Committee were familiar to the authorities and had been investigated and handled in accordance with the law. Journalist Rami Aysha had been arrested along with an army officer for possession of arms; they had been sentenced by the military tribunal and had exercised their right to appeal, but it had been rejected for legal reasons. No complaints had been received to the effect that they had been beaten. Ghassan Slaiby had been arrested for terrorism in 2006 and his case had been referred to the military prosecutor; no complaints of torture had been received in that case. Layal Al Kayaje had confessed that she had fabricated the story that had been published on a media website in order to gain the sympathy of journalists and secure a job. Regarding the case of the two minors who were supporters of Sheikh Al Assir, following the attack by a terrorist group in Abra in 2013, several terrorists had been arrested and there had been violations by some military personnel, who were awaiting trial before the military tribunal in August 2017. Walid Diab had been arrested in 2014 for the crime of terrorism and had been brought before the military tribunal; no complaints of torture had been received in that case either. The delegation did not have any information on the 2017 case of torture involving the military police and would welcome further details in that regard from the Committee.

30. **Ms. Al Khatib** (Lebanon) said that the Ministry of Labour had taken a range of measures to protect the rights of domestic workers. One of the most important steps had been the establishment of a hotline for domestic workers to report violations of their rights by their employers; the hotline number, together with a handbook on workers' rights in a number of languages, was provided to migrant workers on arrival at Beirut airport. Non-nationals enjoyed the same level of protection as Lebanese workers when it came to protection against ill-treatment. The authorities dealt with reports of burglaries by domestic workers in the same way as all other complaints. If the complaint was substantiated and there was sufficient evidence against the domestic worker, he or she was prosecuted. There had been cases in which domestic workers had been acquitted because of insufficient proof, and one case in which an employer had been prosecuted for wrongfully accusing a domestic worker.

31. **Mr. Kaed Bai** (Lebanon) said that training in international humanitarian and human rights law was a compulsory part of both initial and continuing training in all military institutions. The Directorate-General of the Internal Security Forces had recently amended its Code of Conduct, in cooperation with the Office of the United Nations High Commissioner for Human Rights, to bring it in line with international human rights standards. A training course on combating torture was currently being developed. The training session with the Association of Justice and Mercy had not been cancelled but merely postponed to a more suitable time; it had been organized later in cooperation with the United Nations Development Programme and had yielded constructive results.

32. **Mr. Touzé** said that he was concerned that, in the most recent draft of the proposed amended article 401 of the Criminal Code, the definition of torture was now limited to certain circumstances rather than to all circumstances, as had been the case in the first version. The fact that the penalties applicable to perpetrators of torture would depend on the consequences of the torture on the victim was also a matter of concern; the act itself should be punishable, regardless of the consequences. The reference to cruel, inhuman and degrading treatment or punishment should be reinstated, as should the reference to the fact that no exceptional circumstances could be invoked to justify torture. He would be interested to hear more about the reasons for including a statute of limitations.

33. The delegation should provide details of the number of complaints and convictions for acts of torture under existing legislation and state whether there were any plans to amend legislative provisions on the protection of witnesses. Under article 47 of the Criminal Code, evidence obtained under torture could not be used, but the burden of proof in that regard was on the victims and they often had difficulty proving their allegations of torture. Did the authorities open an *ex officio* investigation when allegations of torture were made? He wished to know whether the introduction of video recording might be considered, along with the requirement that a lawyer be present from the outset of custody. With regard to the examinations to which LGBTI persons were reportedly subjected against their will, he would be grateful for further information on the cases in which such examinations had been practised. He was concerned that the *de facto* criminalization of homosexuality could cause moral suffering and fear of persecution and thus constitute degrading treatment. Given the conflicting accounts of the authorities and NGO sources with regard to the individual cases of allegations of torture cited by the Committee, he asked why the facts presented by civil society did not seem to be taken into account by the State party.

34. **Mr. Hani** said that he would like details of the case of the individual arrested by a non-State group in a practice that appeared to be akin to a citizen's arrest. The new draft of the revised article of the Criminal Code marked a regression *vis-à-vis* the initial version, particularly as it made no reference to cruel, inhuman and degrading treatment or punishment or to the rehabilitation and compensation of victims. A statute of limitations should not apply to crimes of torture and cruel, inhuman and degrading treatment or punishment. He would welcome clarification of the statistics on the number of pretrial detainees and convicted prisoners. He wished to know what steps the State party was taking to adopt modern investigation techniques and move away from violent interrogation. If the penalty of forced labour was no longer applied, he wondered why it was not simply abolished. The rules on solitary confinement were contrary to the Convention and needed to be brought in line with international standards. The delegation should provide details on the excessive use of force during peaceful demonstrations and on the number of deaths in prisons. He would be interested to know whether any action had been taken to follow up on the Committee's recommendation to introduce alternatives to body searches, such as scanners.

35. **Ms. Belmir** said that the Committee had always stressed the importance of arrested persons having access to a lawyer from the outset of their custody, prior to being brought before a judge. The situation whereby civilians were tried by the military courts should be reviewed. She would welcome clarification with regard to the possibility of sentences being reduced by a special committee.

36. **Mr. Bruni** said that he would like clarification of what was meant by "incommunicado detention" in the State party report. He was concerned that solitary confinement could be ordered for up to 30 days, which exceeded the maximum of 15 days

provided for under the United Nations Standard Minimum Rules for the Treatment of Prisoners, beyond which it could amount to torture or cruel, inhuman or degrading treatment or punishment.

37. **Ms. Gaer**, referring to the statement by the head of the delegation that the State party's relationship to Hizbullah was a political matter and thus not under the Committee's purview, said that the Committee was tasked with identifying situations in which pain or suffering was 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. In its account of the results of the article 20 inquiry on Lebanon, the Committee had noted with great concern the allegations received concerning unlawful arrests and torture by non-State actors, such as militias affiliated to Hizbullah, and the subsequent handover of the victims to the Lebanese security agencies. Such handovers, as in the Rami Aysha case, raised the question of whether Hizbullah was acting as a de facto substitute State authority. It appeared that, at the very least, there was some acquiescence, and the question of the relationship with Hizbullah was therefore a valid one, to which she would welcome a response.

38. **Ms. Racu** said that the Committee remained concerned by the large number of persons held in pretrial detention and would appreciate recent data on the use of alternatives to pretrial detention.

39. **The Chair** said that he would be grateful for further information on how the application of fundamental legal safeguards for detained persons was monitored.

40. **Mr. Hani** said that clarification was needed regarding the assumption of responsibility for acts of torture and ill-treatment perpetrated by non-State actors.

41. **Mr. Hammoud** (Lebanon) said that safeguards for detained persons were enshrined in law and implemented in practice. The lawyer or family members of an accused person could contact the judge, either in person or by telephone and, as regularly took place, could request that a doctor should be appointed to conduct a medical examination. Detained persons occasionally met with the Public Prosecutor at the Court of Cassation in person. Witnesses to the commission of an offence had the right to arrest the offender and bring him or her to the competent authorities. The burden of proof was not reversed in cases of torture, the use of video cameras to obtain evidence was encouraged, and there had been criminal cases in which homosexuals had been acquitted. Efforts had been made to incorporate recent developments in forensic science into methods of investigation. He could see no objection to the possibility of amending the provisions of the Criminal Code concerning forced labour. The security forces had not used excessive force against persons protesting in front of government buildings. In fact, it had been protestors who had used violence against the security forces. International support was being provided with the introduction of scanners. No complaints had been filed regarding arrests conducted by non-State groups, and he did not have any evidence that detention centres operated by such groups existed.

42. **Mr. Kaed Bai** (Lebanon) said that there were plans to launch an ambitious project providing for the installation of video cameras in all Internal Security Forces facilities. It was part of a broader process to guarantee the protection of human rights. From a procedural perspective, it would be necessary to draw up the appropriate legal framework. Notwithstanding the fact that the Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) were an integral part of training courses for public servants, the Prisons Act from 1949 provided that a detained person could be placed in solitary confinement for 30 days. It had not thus far proved necessary to update that provision. Training courses on the appropriate use of force, which were provided for all officers of the Internal Security Forces, placed emphasis on questions of proportionality, legitimacy, accountability and necessity.

43. **Mr. Rizkallah** (Lebanon) said that the few cases of alleged torture mentioned by the Committee were not representative of the situation in Lebanon, as hundreds of detained persons who had appeared before the courts and been released for lack of evidence had not filed complaints of torture. The Ministry of Defence cooperated with civil society and had held meetings with representatives of civil society organizations. A 2017 prison action plan was being implemented, and military prisons were required to abide by regulations

introduced in 2015. Training materials had been produced for all prison officials. The army was prohibited from using force to establish order in prisons. A committee had been set up to monitor the human rights situation in prisons.

44. **Ms. Al Khatib** (Lebanon) said that Act No. 62 of 2016, which had established the national human rights institution, reproduced in its article 22 the definition of torture set out in article 1 of the Convention, a fact that would be highlighted when the bill on criminalization of torture was submitted to the Parliament. Penalties for torture were proportionate in severity to the gravity of the offence and were thus particularly severe for acts of torture that caused disability. The maximum penalties for torture would be increased. Even though the international instruments to which Lebanon was a party already took precedence over its domestic legislation, the Committee's concerns would be brought to the attention of the parliament. With regard to exceptional circumstances, it had been established that acts of torture or other cruel, inhuman or degrading treatment or punishment could not be justified in any circumstances, including on grounds of national security.

45. As in many countries, the documentation of acts of torture presented a challenge. In cooperation with the Restart Centre for the Rehabilitation of Victims of Violence and Torture, the Ministry of Justice had organized training courses on the Istanbul Protocol for forensic doctors. Victims could consult a forensic doctor to obtain the documentation required to file a complaint of torture.

46. It had been established that the public prosecutor or the court exercising jurisdiction could take all necessary urgent measures to protect victims and witnesses against all forms of ill-treatment, intimidation or reprisal, and courts and judges took full account of the psychological vulnerability of witnesses. Article 401 of the Criminal Code provided that measures should be taken to ensure the rehabilitation of victims, although the relevant implementing decrees had not yet been passed. Article 47 of the Code of Criminal Procedure established that arrested persons had the right to meet with a lawyer, but, without the judge's permission, the lawyer did not have the right to be present at his or her client's questioning.

47. **Mr. Raad** (Lebanon) said that, in 2016, the Ministry of Foreign Affairs and Emigrants had proposed that a national committee should be set up to prepare reports for submission to the United Nations human rights treaty bodies. It would consist of representatives from various ministries. The delegation was not currently able to comment on the Government's position concerning the procedure for individual communications provided for under article 22 of the Convention.

48. With regard to the Committee's visit to Lebanon in April 2013, it should be noted that, in January 2014, the Government had submitted its responses to the recommendations contained in the Committee's inquiry report of November 2013. In November 2014, the Government had submitted a follow-up report on the Committee's inquiry report, in which it had responded to those recommendations in greater detail. However, no written acknowledgement had been received from the Committee.

49. He wished to emphasize that the Government attached great importance to the implementation of the Convention and was fully prepared to cooperate with the Committee.

50. **Ms. Riachi Assaker** (Lebanon) said that her country supported the Independent International Commission of Inquiry on the Syrian Arab Republic and respected the mandate conferred upon it by the Human Rights Council. The Lebanese authorities undertook to provide logistical support to the Commission, including the issuance of visas to its members. Her delegation fully respected, though did not fully accept, the Committee's interpretation of its own mandate.

51. The Government attached great importance to the Committee's consideration of the initial report of Lebanon and was fully committed to the eradication of torture and other cruel, inhuman and degrading treatment or punishment. The reporting procedure had enabled Lebanon to strengthen its cooperation with the Committee at a time at which the country was facing enormous challenges in connection with the crisis in the neighbouring Syrian Arab Republic.

52. **The Chair**, thanking the delegation for its detailed replies, said that the Committee had in fact acknowledged in writing the responses received to the recommendations contained in its inquiry report on its visit to Lebanon of April 2013. The consideration of the State party's initial report had provided an opportunity to continue the same process of constructive dialogue.

The meeting rose at 6 p.m.