A Study on

“Lessons Learned from building the capacity of Internal Security Forces on torture prevention in Lebanon”

May 2010

SUBMITTED BY: Dolly Basil, MPH
| TABLE OF CONTENTS |
|-------------------|---|
| ACRONYMS | 3 |
| I. Introduction and Background Information | 4 |
| II. Study Objectives | 6 |
| III. Study Methodology | 6 |
| IV. Study Findings | 6 |
| A. Lessons Learned — As a Process, Content and Approach | 6 |
| B. Lessons Learned from engaging in capacity building of ISF members on torture prevention; Particular issues for consideration | 12 |
| V. Conclusion | 14 |
| Annexe 1 | 15 |
| References | 16 |
## ACRONYMS

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EC</td>
<td>European Commission</td>
</tr>
<tr>
<td>HR</td>
<td>Human Rights</td>
</tr>
<tr>
<td>ISF</td>
<td>Internal Security Forces</td>
</tr>
<tr>
<td>NGOs</td>
<td>Non-Governmental Organizations</td>
</tr>
<tr>
<td>OPCAT</td>
<td>Optional Protocol to the Convention against Torture</td>
</tr>
<tr>
<td>UN</td>
<td>United Nations</td>
</tr>
</tbody>
</table>
I. Introduction and Background Information

The UN Convention Against Torture defines torture 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". (Article 1)

Despite being strictly prohibited, torture continues to be practiced in a majority of countries in the world.

Amnesty International highlighted in its 2001 report that 140 countries used torture between 1997 and 2000, and noted that each year thousands of perpetrators beat, rape and electrocute other human beings.

Torture is a serious violation of human rights and is strictly prohibited by international law.

It should be noted, within this context, that there is a number of international human rights that relate to torture and inhuman or degrading treatment that every country need to abide to them. These include:

▪ Right to be protected from torture

As per the international law, every country is liable for torture committed by agents of the country (e.g. police officers, soldiers, prison guards, etc.).

▪ Right not to be expelled, returned or extradited to another state where one may face danger

As per the UN Convention against Torture, article 3, "No State Party shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture".

▪ Right of victims to obtain redress, fair compensation, including rehabilitation and the right of victims to make a complaint, to have it impartially investigated, and to be protected from retaliation for making complaints

This relate to five types of reparation: financial compensation, medical care and rehabilitation, restitution (seeking to restore the victim to his or her previous situation), guarantees of non-repetition, and forms of satisfaction such as restoration of their dignity and reputation and a public acknowledgment of the harm they have suffered (UN Convention against Torture, article 13, 14).
Every torture survivor is entitled to these rights; the same is valid for torture survivors in Lebanon.

**Lebanon; Background and Present situation**

Lebanon is the first state party from the Middle East and North Africa to ratify the Optional Protocol to the Convention against Torture (OPCAT) on December 22, 2008. This protocol calls for the creation, within one year of ratification, of a national preventive mechanism to visit and monitor places of detention.

Conditions in the Lebanese prisons and detention facilities are poor, with overcrowding and lack of proper medical care. As of August 24, 2009, there were 5,324 detainees in Lebanon, while detention facilities can accommodate a maximum of 3,653. Pretrial detainees represent around 65 percent of the total number of detainees, while foreigners with completed sentences but awaiting deportation represent another 13 percent (According to a report prepared by the Internal Security Forces-Human Rights Watch, 2009).

Torture and ill-treatment are a serious problem in Lebanese detention facilities and jails. Accountability for torture and ill-treatment in detention remains vague despite that the Lebanese law prohibits torture and the article 401 of the Lebanese Penal Code criminalizes the use of violence to extract confessions.

Many incidents of torture and ill-treatment have been reported to national and international human rights activists. The executors of torture are generally members of the police and the armed forces having the power to arrest and detain suspects based on national security basis. The Internal Security Forces (ISF) conducts searches and arrests, and refers cases to the judiciary. The victims include foreign workers, illegal immigrants, and those suspected of having committed crimes, especially drug trafficking.

During the preliminary investigations that are conducted at police stations or military installations, abuse usually occurs. In such places, suspects are interrogated and held often for several weeks.

In view of the above and the rights that each torture survivor is entitled to acquire, Restart undertook a three-year Project (2007-2010) aiming at contributing to addressing the needs of torture survivors in Lebanon while covering all Lebanese territories through the following set of specific objectives:

1. Providing free of charge rehabilitation services to tortures survivors and their family members who are in need of such program.
2. Building the professional capacity of service providers in what relates to the rehabilitation of torture survivors.
3. Upgrading the social integration of torture survivors.
4. Creating a central source of information and statistics on torture survivors in Lebanon.
5. Establishing network and collaboration systems among governmental and non-governmental organizations (NGOs) and bar association for the amendments of related laws and lobbying purposes.
6. Increasing the knowledge of all concerned stakeholders towards the torture issue and its prevention and the needs of torture survivors.

The internal Security forces are one professional group targeted by the capacity building activities of the Restart project. Thus, this report present an analysis of findings in relation to lessons learned from the interventions conducted by Restart targeting the ISF in Lebanon.

II. Study Objectives

This study aims at documenting lessons learned from the processes associated with building the capacity of ISF on torture prevention in Lebanon and analyzing and sharing these lessons in terms of their related processes, usefulness, feasibility, replicability, and impact. This would be of value to program managers and planners for replicating similar activities in other settings within the country as well as in the region.

III. Study Methodology

In order to undertake this work, a national and international literature review was conducted including Restart project documents and in-depth interviews and focus group meetings were held with the project planners, collaborators and concerned ISF members (APPENDIX 1).

IV. Study Findings

The following set of lessons learned represents a synthesis of documentation related to the issue under investigation and also reflects the opinions of those interviewed or surveyed for this study.

These lessons are not exhaustive, but include issues that arise most frequently as capacity building activities are being planned, developed, and conducted. These lessons learned are presented, in most cases, in a concise way so that they may serve as a “checklist” or reference.

A. Lessons Learned — As a Process, Content and Approach

1. Restart Torture project planning in general and capacity building activities in particular

In the earliest planning stages of the Restart EC supported torture project, major issues were considered to pave the road for the success of the project in general and related activities in particular. These include:
a. Ensuring support at the policy level

This was achieved through:

▪ Ensuring the support of the legal and policy environment to allow the implementation of the project without major limitations. For this purpose, advocacy activities were conducted, in the initial phases of the project, targeting legal and health authorities, and the director general of the internal security forces (ISF) in Lebanon. It should be emphasized within this context the special role played by the ISF director general who provided a continuous support to the project.

b. Ensuring the support of community stakeholders and government

This was achieved through:

▪ Identifying key stakeholders. These included local government leaders, legal and health authorities, civil society leaders, torture survivors, and their families.

▪ Informing the community about the project and ensuring its acceptance and support to help in changing the policy environment and to provide advocacy for the project. This was achieved through the awareness sessions targeting the concerned stakeholders conducted within the context of this project.

▪ Involving ISF officials and other concerned stakeholders at the initial stage of the project planning aiming at ensuring the relevance of the project outcomes.

c. Working towards the integration of the capacity building activities within the existing human rights structure and system at ISF

This was achieved through:

▪ Identifying the existing HR structure and system at ISF which is represented by a HR unit recently initiated at ISF and planning the capacity building activities in compliance with the mandate of this unit to ensure better integration and sustainability.

▪ Attempting to engage concerned officials at ISF in the development of the capacity building program content to ensure better relevance.

d. Relating the ISF capacity building activities to the other capacity building activities of the Restart project

This was achieved through:

▪ Incorporating the capacity building activities targeting the ISF members into a larger capacity building program targeting health professional and HR activists.
This would help in ensuring a more comprehensive approach to addressing different types of needs among torture survivors in Lebanon.

- Involving the ISF officials with the capacity building process as a whole to promote their support to all actions aiming at upgrading the quality of life of torture survivors in Lebanon.

e. **Upgrading existing infrastructure and capacity**

This was achieved through:

- Envisioning the need to invest in manpower capacity building, management systems and quality control development at the level of ISF in order to ensure quality implementation of the future programs.

f. **Preparing for sustainability**

This was achieved through:

- Working with the ISF to prepare for ensuring the availability of human and financial resources. This would be achieved through the increased capacity of ISF members subject to additional training conducted by ISF, in the future, on issues related to torture prevention. Compounded to that is ensuring financial support to processes associated with the implementation of the noted capacity building activities.

- Promoting ISF officials’ ownership of these types of activities. This was achieved through the participatory, transparent and professional approach adopted by the project team while engaging ISF officials.

- Ensuring the consistent and continuous involvement of motivated and committed ISF members to facilitate the process of increasing ownership among them.

g. **Investing in evaluation, documentation, and dissemination**

This was achieved through:

- Evaluating and documenting the processes, achievements, and conclusions associated with the planning, development, and implementation phases of the capacity building activities to improve their effectiveness. This was ensured by the project executive team.
2. Capacity building program development

Major issues considered within this context include:

a. Setting an operating system for the capacity building component of the project

This was achieved through:

- Developing a structured operating system for the development of the capacity building component of the project. This included the formation of capacity building group from the project personnel with clear mandates, roles and responsibilities, timelines, and communication and decision-making processes.

- Adopting good coordination mechanisms between the capacity building group and other project personnel favoured by the leadership and guiding roles properly assumed by the concerned parties at Restart.

b. Conducting situation and needs assessments

This was achieved through:

- Conducting a rapid assessment of the capacity building needs of ISF members in what relates to torture issues and concerns.

- Reviewing and analyzing available information about torture in Lebanon and situation of Lebanese detention facilities in what relates to torture and torture inflicting.

c. Engaging professionals with relevant knowledge and expertise in the subject areas of concern related to torture

This was achieved through:

- Involving professionals with educational backgrounds and expertise in health and legal issues associated with torture in the development of the capacity building program content to ensure that the program will be scientifically proven.

- Involving persons who have experiences in developing capacity building programs in general targeting adult groups to ensure better ways to reach the target groups.

d. Taking into consideration the ISF members specific training needs while tackling related capacity building concepts

This was achieved through:
- Assessing properly the peculiarities of the target group, i.e. the ISF members and develop the capacity building material in ways suiting their professional background and work specificities.

- Developing a flexible training program allowing presenting related concepts as per the needs of the target group.

e. **Ensuring the official approval of the developed training program**

This was achieved through:

- Ensuring the approval of the ISF officials on the content of the capacity building program material.

3. **Capacity building program implementation**

Major issues considered within this context include:

a. **Learning from Previous Experiences**

This was achieved through:

- Relying on the previously built experience in the field of torture in Lebanon in general and related capacity building activities in particular and lessons learned from this experience. This helped in achieving effective and efficient results.

b. **Properly investing in project management**

This was achieved through:

- Engaging effective project personnel in general and capacity building professionals in particular at Restart. The project implementation processes were facilitated by clear definition of roles and responsibilities of each of the concerned Restart team members and proper assumption of these responsibilities by all concerned.

- Adopting proper management strategies to improve the prospects for the success of the project. This was achieved through the development and adoption of proper management systems and procedures that lead to more efficient and effective results.

c. **Adopting a dynamic project approach**

This was achieved through:

- Adopting a dynamic discipline while implementing the project in general and capacity building activities in particular, based on creativity, high levels of efforts and commitment, focus, flexibility, and strategic thinking.
d. Developing a crisis management plan

This was achieved through:

- Developing a crisis communication plan to be adopted whenever a project intervention was considered controversial or in anticipation of project challenges in general and capacity building activities targeting the ISF members in particular.

4. Monitoring and Evaluation

Major issues considered within this context include:

a. Developing a monitoring framework

This was achieved through:

- Relying on inexpensive methods for monitoring the capacity building activities such as observation, site visits, meeting with stakeholders, etc. Restart believes that monitoring is an important tool for understanding operational dynamics and detecting what works and what does not.

b. Developing an evaluation framework

This was achieved through:

- Evaluating Restart project including the capacity building activities from the very beginning when it was being planned, by conducting proper assessments, as well as during implementation and after the project was completed. This was important to ensuring success.

c. Setting feedback mechanisms

This was achieved through:

- Ensuring the availability of feedback mechanisms through the adoption of proper communication channels with Restart counterparts in general and ISF officials and members in particular. This was important for the reinforcement of outcomes and for clarifying questions and concerns.

d. Ensuring a proper documentation

This was achieved through:

- Ensuring a proper documentation of the project inputs and implementation experiences in general and in what relates to capacity building in particular to understand successes and failures. Systematic documentation of the project was a key element of the overall management system.
B. Lessons Learned from Restart engagement in capacity building of ISF members on torture prevention; Particular issues for consideration

1. ISF versus Other State and Civil Society Organizations

Torture prevention in detention facilities in Lebanon does not include only upgrading the capacities of internal security forces at this level, but it also requires working with, and enhancing the capacities of other institutions besides ISF. One of the challenges to face is to determine which institutions to work with and work through in order to enhance justice and police responsiveness, accountability and effectiveness.

Concerned governmental bodies, if left on their own, may overlook related capacity-building targeting; (i) concerned ministries, where necessary leadership exists; (ii) legislative actors; and (iii) human rights watchers. They also might show lack of interest to support civil society organizations that may criticize their performance. Thus, it requires careful planning and extensive collaboration to develop a comprehensive capacity building program targeting all actors at the national level.

It should be noted within this context, that implementing multi-faceted capacity building program on torture prevention that necessarily cut across different types of institutions necessitates careful conceptual planning based on a sound diagnostic of the problem and sensitivity towards inter-organizational relations and cooperation.

2. Adaptation to Local Needs vs. Drawing on Foreign Models

Sound capacity building programs necessitates respect for and adaptation to local culture, social habits, and political realities. Special attention need to be given to avoid drawing on foreign models and experiences that might not be suitable to ISF needs and specificities. Capacity building programs need to be adapted to the local realities and build upon positive policing and justice traditions.

3. Short-term vs. Long-term Support

Capacity building activities should be part of long-term development programs. Availability of short-term funding support to these programs may not help achieving the desired development outcomes.

4. Building the capacity of old ISF members vs. New ISF Members

Capacity building programs need to reach old and new ISF members. Each group provided with different type of knowledge on torture prevention based on their initial level of knowledge and their previous experiences and current positions at ISF.

5. Adequate vs. Inadequate Torture Prevention Actions During the Capacity Building Process

ISF training and organizational development to prevent torture takes time.
But actions need to be taken, by decision-makers at ISF, during the process of personnel development to ensure that torture is being limited while the personnel capacity at this level is being upgraded.

6. Top-Down vs. Bottom-Up Capacity Building

Identifying and working with reform-minded leaders and decision-makers in ISF may yield the best results, while at the same time targeting the ISF members. Thus, capacity building should go in parallel with leaders and members.

7. Promoting Effectiveness and Accountability

To ensure performance, all managers and organizations require mechanisms of accountability. Thus, accountability is important for effectiveness. For ISF, internal affairs units or other internal disciplinary mechanisms are necessary to ensure that their forces are functioning as they should. Human rights violations are usually regulated by the same internal disciplinary regimen that governs all violations. Convincing ISF managers of the importance of external accountability is difficult, but can be accomplished by reconsidering accountability and human rights concerns as issues of management and performance standards. Both internal and external mechanisms of accountability are necessary and important. Internal mechanisms include any internal unit that investigates or reports on HR violations by ISF personnel. External mechanisms may include the judicial system (criminal and civil), legislative oversight committees, human rights watchers, HR NGOs, ministry-level inspectors, and the media.

The media can contribute significantly to prevention of torture in Lebanese detaining facilities.

8. Potential Obstacles and Challenges for ISF Capacity Building on Torture Prevention

A number of potential obstacles might confront those involved in capacity building of ISF on torture prevention. These include:

- Turnover in international advisers, trainers, and monitors
- Resistance from ISF decision-makers or members
- Limited donors resources
- Unanticipated growth in torture actions in Lebanese detention places
- Limited governmental office support capacities (budgeting, planning, oversight, management, etc.) in favor of torture prevention
V. Conclusion

The mandate of Restart is to plan and implement programs aiming at preventing torture and upgrading the quality of life of torture survivors Lebanon. Addressing issues related to torture in Lebanon in a structured way will contribute to national efforts at this level including abiding to related international rules and regulations associated with torture problem.

Thus, preventing torture based on a multidisciplinary approach need to be supported by all concerned.

This documentation study provides information about experiences related to capacity building of ISF members in Lebanon that could be shared with all concerned and would also be of value for those interested in replicating these experiences while taking into consideration the context specificity and sensitivity of tackled issues.
Annex 1

List of People met within the context of this Evaluation

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suzan Jabbour</td>
<td>Director – Restart Center</td>
</tr>
<tr>
<td>Elie Abou Sehal</td>
<td>Colonel - Internal Security Forces</td>
</tr>
<tr>
<td>Charles Saade</td>
<td>Commandant - Internal Security Forces</td>
</tr>
<tr>
<td>Ali Sami Zaaiter</td>
<td>Commandant - Internal Security Forces</td>
</tr>
<tr>
<td>Ahmad Nazih Abou Daher</td>
<td>Commandant - Internal Security Forces</td>
</tr>
<tr>
<td>Assaad Ayoub</td>
<td>Captain - Internal Security Forces</td>
</tr>
<tr>
<td>Nour Cheeban</td>
<td>First Lieutenant - Internal Security Forces</td>
</tr>
<tr>
<td>Remond El Feghali</td>
<td>First Lieutenant - Internal Security Forces</td>
</tr>
<tr>
<td>Eddy El Ahwaji</td>
<td>First Lieutenant - Internal Security Forces</td>
</tr>
</tbody>
</table>
References


