Tortures and Deaths

In a television interview (*Le Monde*, June 24) and a testimony before an international investigation committee in Cyprus, Dr. Steiner Berge, Marian Moeller and Dr. Oyvind Moeller of Norway said that they had seen prisoners being beaten with cudgels and plastic rods in the courtyard of a Sidon school. They witnessed the savage beating of a 60-year-old man who was kicked until he fainted and collapsed for having attempted to kick an Israeli soldier. They also told the audience of seeing a Palestinian physician, Dr. Nabil, being dragged by a rope around his neck by Israeli soldiers while others beat him with sticks. When the Norwegians saw Dr. Nabil the next day, he was staring blankly at his surroundings, with a large wound on his neck and his back covered by blisters. Speaking in a press conference, Dr. Capet apparently had Dr. Habil in mind when he said: "A surgeon was brought in fettered, with his eyes covered. It was evident that he had been beaten up and tortured. In the courtyard, I saw three unconscious men lying in the sun, on the earth. They kicked them in order to awaken them, but in vain: they didn't move."

Dr. Christopher Giannou of Canada, in his testimony before an investigative committee of the U.S. Congress, also mentioned the mistreatment of Dr. Nabil. He described how the Palestinian physician was beaten, and cited the names of other prisoners of war who had been tortured. He emphasized that "the dark-skinned Arabs, Africans and Asians (Pakistanis, Bangladeshis and Indians) were beaten up more cruelly than the others. I witnessed four detainees being beaten to death. An Israeli soldier called me to examine the corpses." Dr. Giannou repeated this testimony before the international investigation committee in Cyprus. Amnesty International summarized the issue in its report:

> AI has received eye-witness accounts of ill-treatment of prisoners captured by the Israeli forces. These allegations have come from a number of foreign medical personnel who had been working in southern Lebanon who were arrested by the Israeli forces during the first weeks of the invasion and who were released after questioning. These allegations relate to the period up to 20 June and to the detention centres at the Sidon school and at the Safa Citrus Corporation warehouse and to Meggido prison in northern Israel. Amnesty International has not received any allegations of ill-treatment following this period. However, the prisoners were held incommunicado until July 18 when ICRC visits started, and this justifies concern for the prisoners' treatment after 20 June, particularly when they were still being interrogated. The most serious allegations refer to the detention centre at the Sidon school. The allegations describe how large numbers of prisoners who were forced to sit out of doors with their hands behind their backs, were subjected to beatings all over the body with wooden batons, plastic hoses, thick ropes and other instruments.

The savage blows were aimed at any prisoner who moved a little or asked for food or water (of which there was a shortage). Detainees' sleep was disrupted by bright lights and the noisy engines of the tanks surrounding the detention center. They were frequently threatened and there was no medical care for those who were badly hurt by the mistreatment.

In a meeting in Tel Aviv (October 22, 1982), Lieutenant Colonel (Res.) Dov Yirmiya, who served in Lebanon, said about his visit to the prison camp in Sidon:

> In one corner I saw a prisoner lying with his hands tied. Above him stood an Israeli soldier who beat his face with the heel of his boot ... the prisoner's face was already smashed from previous beatings. I asked the soldier whether he had orders to do so. He replied that he had orders to be "tough" so that the rest of the prisoners would know that if they rebelled, they would suffer ...
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> I saw two soldiers walking between rows of prisoners who all had their hands tied. The soldiers beat the prisoners with wooden sticks all over their bodies. In one case I saw an Israeli soldier straighten the rows of prisoners by dragging them by their hair.

The conditions of detention in the Ansar camp

The Ansar concentration camp was set up in a few days, and still lacks the most elementary amenities. It was reported that 45 people are squeezed into a single tent (*Davar*, November 29, 1982) The men relieve themselves in ditches, and in heavy rains the feces float through the camp, spreading a terrible stench. Tents collapsed, and the men were drenched to the bone. Drinking water is very scarce, and to say that hygenic conditions are bad is an understatement. A cloud of stench, caused by sweat, urine, feces and detergents, hovers over the camp. As long as there were physicians and hygenists among the prisoners, the latter received some sort of medical care from their fellow-sufferers. Many doctors and hygenists have since been released, however, and the health situation has deteriorated. There is a shortage of drugs. The military correspondent for *Davar* is certainly correct when she says that the Ansar camp is "on the verge of going up in flames." The press has reported several times on mutinies in this camp, and that many prisoners were wounded or killed in the course of their suppression. One such mutiny was reported at the end of September, 1982. When two more prisoners were killed and four wounded on December 2, the mass media maintained that a round of bullets "went off" from the rifle of one of the guards.

The legal status

The Israeli government does not acknowledge those captured as prisoners of war, except for members of the Syrian armed forces. A special ordinance, issued by the minister of defense on June 9, 1982 (Emergency Ordinance: Arrests at Times of Special Emergency, 1982), empowers the Israeli armed forces to arrest in Lebanon any person who is not a citizen or inhabitant of Israel. This ordinance made it possible to detain thousands of people without granting them the status of prisoners. In this way, the Israeli authorities circumvent the application of the Third Geneva Convention (1949), which deals with the treatment of prisoners of war. Since these prisoners do not enjoy any recognized status, they are called "the brought ins" ("deportees" in French) in the official jargon. (See Tally Selinger, *Davar*, November 29, 1982)

Any judicial control or legal redress for the "brought ins" is impossible because of the legal vacuum which has been created. An Israeli court is precluded from dealing with their cases, since the prisoners are held on Lebanese sovereign territory but upon applying to a Lebanese court, the prisoners are told that it does not have any authority over the IDF. This constitutes an unprecedented and devilish subterfuge.

There is no supervision

The first time that ICRC was permitted to view the prisoners from the Ansar concentration camp was on July 18, 1982, 41 days after the outbreak of the war (Amnesty International report). Until June 30, 1982, representatives of the ICRC had met only 33 prisoners of war and 18 Palestinians in the Shmuel Harofe Hospital (ICRC report, July-August, 1982). Concealing the whereabouts of prisoners of war for 41 days is heinous and abominable. To this day, representatives of the ICRC have not yet visited all the detention centers where POWs are still being held, or met all of the prisoners. Israel authorities further limit the actions of ICRC representatives by forbidding the distribution of information about the prisoners' conditions. The ICRC fears that any breach of silence on its part would worsen the lot of the prisoners in the short run, and lead to a further limitation of its representatives' movements in the long run, resulting in a further deterioration of the state of the POWs.

It is not only the humanitarian institutions which are prevented from seeing the POWs and ascertaining their identities, numbers and locations. Most of the families of prisoners do not know whether their relatives are in captivity, where they are held, or anything of their conditions. In its report, Amnesty International defined the prisoners' situation as "incommunicado." Demonstrations staged by the families of the prisoners were reported in the press. The journalist Amnon Donker described the lot of the prisoners, as seen by their captors, as follows:

> What can you do at the sight of women imploring you and kissing your hands and crying and showing you the photo of a young and moustached man, wearing a suit and tie, and at last asking you with tears in their eyes whether you have seen him? Maybe in the camp? They hadn't seen him for three months. He simply disappeared. At the military governor's office in Sidon they can't tell one a thing. The ICRC doesn't know either. Perhaps he is in the camp after all. She wants to walk beside the fence and have a look. Perhaps she will see him. And perhaps ... you'll be able to identify him. Again, the photo is pushed by a trembling hand right under your nose. Do you know him? This is my husband. Do you know him? Have you seen him, there, in the camp?
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> *Ha'aretz*, November 5, 1982

The tragedy

To this date, a few hundred prisoners have been released, including teenagers and many foreigners. Nevertheless, many human problems arise, particularly that of the Palestinian prisoners of war. If they are set free, to whom will they be handed over? If they are driven out of Lebanon, where they have been living, they will be severed from their families, who will be abandoned to famine and to the mercy of the Phalangists. And if they are returned to southern Lebanon they might become the prey of both Haddad's gangs and the Phalangists.

The following demands should be put forward:

* Permission for the prisoners to meet with their families, ICRC representatives, and lawyers, if necessary.
* The investigation, by an independent and critical commission, of the issue of the prisoners: the conditions of their confinement in general, and the tortures in particular (including those which ended in the death of the prisoner).
* The acceleration of the process of releasing all of the prisoners from all locations of detention.

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