

Workshop Report:

Human Rights in Prison

By Myriam Sfeir

Omar Nashabe, an instructor of human rights at the Lebanese American University (LAU) and an instructor of Sociology at the American University of Beirut (AUB) and Haigazian University, is currently working on a voluntary basis, to improve the situation of human rights in Lebanese prisons. Nashabe earned his BA at the American University of Beirut and MA in Social Policy at the State University of New York (SUNY), and it is in those university years that he got interested in crime, deviance and rehabilitation.

In cooperation with the Goethe Institute, Nashabe organized two symposiums and a workshop on human rights in prison. The symposiums took place last year in Tripoli and Beirut and were attended by judges, lawyers, representatives from various NGOs working with correctional facilities, ex-detainees, ex-convicts, as well as a representative from the Attorney General's office, and LAU students. The aim of those symposiums was to orient Lebanese policy makers with respect to the importance of rehabilitation and the impact that rehabilitation programs would have if they were to be adopted in Lebanese prisons.

Given that the symposiums were very successful, a follow-up workshop was planned. However, the target audience of the workshop was confined to the prison authorities. A visit to the head of the Internal Security Forces, General Marwan Zein was pertinent. After the visit, a one day workshop (due to lack of funds) was organized in Roumieh prison. According to Nashabe: "General Zein appreciated the initiative and granted us his approval immediately. However, not everyone is as dynamic as General Zein. In fact there is, in general, minimal interest in improving the situation of human rights in prisons. This is mainly due to the predominance of the "less eligibility principle" regarding prisoners. The main argument according to this princi-



ple is that incarcerated persons should be treated and should have a standard of living that is less advantageous than the lowest classes of society. It is believed that incarcerated persons harmed society and that they should be treated accordingly. However, Nashabe argues that it is unfair to apply this principle in Lebanon because almost 50 percent of incarcerated persons are in pre-trial detention i.e., they are innocent until proven guilty by a fair court hearing where they have the right to appeal and the right to an attorney. The labeling theory applies here also: prisoners are labeled criminals regardless of their legal status; this complicates things and makes correction and rehabilitation almost impossible. It also encourages first time offenders to engage in career crime."

Nashabe explains that the workshop was divided into two parts: theoretical and practical. The German Law professor, Dr. Herald Preusker who served as a judge and as director of three prisons in Germany, conducted the training. He was chosen because of his extensive knowledge of human rights and of the treatment of prisoners. Preusker started off with a presentation on human rights in German prisons, listing and explaining regulations and methods used in German prisons in general, and more particularly, prisons in

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Dresden. After that, an examination of case studies took place followed by a discussion. The case studies involved harsh treatment of incarcerated persons and ways to deal with escape attempts. The workshop lasted around 7 hours and was attended by around thirty Internal Security Forces officials who work in prisons all over Lebanon. Most officers were very cooperative and showed a lot of interest in the workshop.

According to Nashabe, when discussing human rights in prison it is not only incarcerated persons who are addressed. Nashabe asserts: "By attempting to ameliorate human rights conditions in prisons we hope to benefit not only the inmates but the entire body of staff working in prisons namely guards, officials, civilians working inside the prisons, civilians living around the prisons, as well as ordinary individuals in society."

Nashabe explains that in Lebanon, prisons are under the authority of the Ministry of Interior, and the Internal Security Forces (ISF) are in charge of the incarcerated. Nashabe believes that this ought to change and a specialized governmental division within the ISF should be created to deal with incarcerated persons and the security of prisons. According to Nashabe: "All police officers working in this special section should undergo extensive training in human rights issues, prison administration, controlling violent outbursts, etc. Hence, funding is needed for specialized human rights courses to be given within the Police Academy. The ISF officers sometimes revert to violence to mask their ignorance in handling situations (that have gone wrong)." However, Nashabe recognizes that the Internal Security Forces have a very difficult situation to deal with because of the limited

resources available. Lack of funding, excessive levels of overcrowding, inhuman prison conditions, as well as violent outbursts threaten the life of prison guards, staff and officials. Nashabe admits: "I am realistic and even though I am in favor of change, I don't expect it to happen over night."

According to Nashabe, while it is generally agreed that the crime rate is often higher among males than among females, there is no plausible explanation for that in Lebanon. Sociologists in Lebanon have failed in producing concrete evidence because of research limitations. Nashabe affirms: "Given that Lebanese society is a male dominated society, crime is usually seen as a male exclusivity. Moreover, it seems that judges are sometimes biased in favor of women since they receive more lenient sentences than their male counterparts."

Finally, Nashabe expressed his hope to be able to organize more workshops targeting the improvement of human rights conditions in prison. He adds: "If adequate funding is available, this workshop will pave the way for future work in this domain. I contacted the Ministry of Justice and the Ministry of Interior and received positive feedback from both. However, there are no concrete projects on the ground yet."

The Dresden Ministry of Justice in Germany recently sent an invitation to a number of ISF officers working in prisons to attend a one week workshop on human rights in prisons which will be held in Germany in May 2002, following Nashabe's request. Hopefully, this exchange of expertise will help in improving the difficult conditions of Lebanese prisons.