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Lebanon

Country Reports on Human Rights Practices - 2003

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

23/3-04

Lebanon is a parliamentary republic in which the President is a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker of the Chamber of Deputies a Shi'a Muslim. President Emile Lahoud took office in 1998 after an election by Parliament that was heavily influenced by Syria. The Parliament consists of 128 deputies, equally divided between Christian and Muslim representatives. In the 2000 parliamentary elections, incumbent Prime Minister Salim al-Hoss lost his seat in a contested election, and former Prime Minister Rafiq Hariri was named Prime Minister by President Lahoud in October 2000. According to international observers, the elections were flawed; however, there reportedly were fewer voting irregularities than in the 1996 parliamentary elections. The Constitution provides for an independent judiciary; however, in practice, it was subject to political pressure.

Non-Lebanese military and paramilitary forces retained significant influence over much of the country. Approximately 15,000 to 17,000 Syrian troops were stationed in locations throughout the country, excluding the south. An undetermined number of Syrian military intelligence personnel in the country continued to conduct their activities independently. In 2000, following the Israeli Defense Forces (IDF) withdrawal from the south, the Government deployed more than 1,000 police and soldiers to the former security zone. The Government did not attempt to disarm Hizballah, a terrorist organization operating in the region. Palestinian groups, including armed factions, operated autonomously in refugee camps throughout the country.

The security forces consist of the Lebanese Armed Forces (LAF), which may arrest and detain suspects on national security grounds; the Internal Security Forces (ISF), which enforce laws, conduct searches and arrests, and refer cases to the judiciary; and the State Security Apparatus and the Surete Generale, both of which collect information on groups deemed a possible threat to state security. The Lebanese security forces committed numerous, serious human rights abuses, sometimes acting independently, and other times on instruction of senior government officials. Syrian and Palestinian security forces operated independently of Lebanese security forces and also committed numerous, serious human rights abuses. There were credible reports that Lebanese security detained individuals on the instruction of Syrian intelligence agencies.

The country maintained a free market economy, with no controls on the movement of capital and foreign exchange. The country's population of approximately 4.4 million had an estimated active labor force of 1.5 million, the majority of which were employed in the service sector and in a small industrial sector. Real gross domestic product (GDP) growth was estimated at approximately 2 to 2.5 percent. While there were no reliable government statistics, most analysts estimated unemployment at 20 to 25 percent.

The Government's overall human rights record remained poor; although there were some improvements in a few areas, serious problems remained. The right of citizens to change their government remained significantly restricted by the lack of complete government control over parts of the country, shortcomings in the electoral system, the flawed 2000 elections, and Syrian influence. Members of the security forces used excessive force and tortured and abused some detainees. Prison conditions remained poor. The Government also arbitrarily arrested and detained persons who were critical of government policies. Lengthy pretrial detention and long delays in trials remained problems. The courts were subject to political pressure, seriously hampering judicial independence. During the year, the Government infringed on citizens' privacy rights and continued surveillance of political activities. The Government limited press and media freedom. The Government continued to restrict freedom of assembly and imposed some limits on freedom of association. There were some restrictions on freedom of religion. The Government imposed some limits on freedom of movement. Violence and discrimination against women, abuse of children, discrimination against Palestinians, forced labor, including by children, child labor, and the mistreatment of foreign domestic servants remained problems. Trafficking in persons was a problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no political killings; however, on May 19, militant Islamists killed at least two persons and injured a photographer when they clashed with Palestinian gunmen in the Palestinian refugee camp of Ain al-Hilweh. Abdallah Shreidi, the leader of the Asbat al-Nur Sunni Islamic extremist group was critically injured and died 3 months later.

On August 2, a man identified as 42-year-old Hizballah member Ali Hussein Saleh was killed in a car bomb explosion in Beirut's southern suburbs. Some government officials and Hizballah accused Israel of carrying out the killing; however, at year's end, no one claimed responsibility for the attack.

No group claimed responsibility for the 2002 killing of American citizen missionary Bonnie Weatherall, and the case remained unsolved at year's end (see Section 2.c.).

There were no developments in the 2002 killing of Ramzi Irani, the officer-in-charge of the banned Lebanese Forces.

Unlike in previous years, there were no reported deaths in custody during the year.

During the year, violent cross-border incidents since the 2000 IDF withdrawal, involving Hizballah, Palestinian, and other unidentified armed elements, continued. In January, a cross-border fire exchange critically injured one civilian who later died of his injuries. In August, Hizballah anti-aircraft fire that landed in Israel killed a civilian.

The country's landmine and unexploded ordinance (UXO) problem was estimated at over 400,000 landmines and UXOs throughout the country, with the majority in the former Israeli occupied security zone. During the first half of the year, the Government successfully demined 600,000 square meters of land, allowing it to be returned to productive use. According to the Lebanese Demining Office, there have been a total of 2,784 landmine victims in the country since 1990. During the year there were 42 landmine victims, including 4 fatalities and 38 injured persons.

b. Disappearance

There were no reports of politically motivated disappearances.

At year's end, the Government had not yet disclosed the findings of a 2000 committee's report investigating cases of disappearance during the country's civil war.

In October, Hizballah allowed a German mediator to visit IDF reservist Elhann Tannenbaum, kidnapped in 2000. At year's end, Tannenbaum was still presumed to be detained.

On August 25, Israel returned the bodies of two Hizballah fighters who died fighting Israeli forces in the southern part of the country in the 1990s. During the year, Hizballah continued to maintain the position that it would release Israeli soldiers in return for the release of Arab prisoners held by Israel.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution does not specifically prohibit torture, and there continued to be credible reports that security forces abused detainees and, in some instances, used torture. Human rights groups reported that torture was a common practice. The Government acknowledged that violent abuse usually occurred during preliminary investigations conducted at police stations or military installations, in which suspects were interrogated without an attorney. Such abuse occurred despite laws that prevented judges from accepting any confession extracted under duress.

Methods of torture reportedly included beatings and suspension by arms tied behind the back. Some former Southern Lebanese Army (SLA) detainees reported that they were abused or tortured. Amnesty International (AI) and other human rights organizations reported that some detainees were beaten, handcuffed, blindfolded, and forced to lie face down on the ground. Supporters of exiled General Michel 'Awn, and detained Tawfiq Hindi, political advisor to former Lebanese Forces commander Samir Ja'Ja who were arrested in 2001, claimed that officers had abused them and that they were psychologically tortured when authorities threatened their families (see Section 1.d.).

During the year, there were credible reports that army intelligence held detainees blindfolded and

handcuffed in the "farouj" position (Arabic for "chicken" - individuals are handcuffed with their hands at their ankles in a hunched over position) for days at a time while being interrogated.

Abuses occurred in areas outside the Government's control, including in Palestinian refugee camps. During the year, there were reports that members of the various groups who controlled the camps detained their Palestinian rivals (see Section 1.d.). Rival groups, such as Fatah and Asbat al-Nur, regularly clash over territorial control in the various camps, sometimes leading to exchanges of gunfire and/or detention of rival members.

Prison conditions were poor and did not meet minimum international standards. The Government did not allocate funds for prison reform. The Government has made a modest effort to rehabilitate some inmates. On May 22, 40 prisoners were awarded certificates for computer skills they acquired at Roumieh central prison. The ISF donated 20 used computers to provide training for more inmates. On June 27, the First Lady awarded certificates to 44 women held in Baabda prison who completed training in hairdressing, make-up, and knitting. Men, women, and juveniles were held separately in government prisons.

In 2000, AI issued a report on prison conditions for women that highlighted numerous, serious human rights abuses, including torture, as well as the breach of legal rights of citizens. In response to public concern, the Prosecutor General appointed a senior aide to investigate allegations of torture and mistreatment of women in pre-trial detention. On August 13, in response to an AI report claiming that prisoners are tortured, Prosecutor General Adnan Addoum refuted these allegations, saying that his senior aide carried out an investigation in 2002 and concluded that torture against women does not occur.

The Surete Generale, which is in charge of border posts, operated a detention facility for detainees, mostly Egyptians and Sri Lankans, pending deportation. Their detention was supposed to be for 1 to 2 months, pending the regularization of their status. However, some persons, primarily asylum seekers, were detained for more than a year and eventually deported.

Former Lebanese Forces leader Samir Ja'Ja, who is serving four life sentences for the murder or attempted murder of various political figures during and after the civil war, was kept in solitary confinement in a prison in the basement of the Ministry of Defense. Government officials stated that his solitary confinement was necessary for his own protection.

During the year, local journalists and human rights organizations were given access to certain prisons except the Yarze prison controlled by the Ministry of Defense. The Government did not grant independent monitors access to former SLA soldiers in custody. In September 2002, the Cabinet ordered that International Committee of the Red Cross (ICRC) representatives should be allowed to visit all prisons, including the one under the control of the Ministry of Defense. However, by year's end, the ICRC had not done so because the Ministry of Defense had not granted permission. Hizballah did not permit visits by human rights monitors to persons in its custody.

d. Arbitrary Arrest, Detention, or Exile

The law requires the ISF to obtain warrants before making arrests; however, the Government used arbitrary arrest and detention. Military intelligence personnel made arrests without warrants in cases involving military personnel and those involving espionage, treason, weapons possession, and draft evasion (see Section 1.e.). The most recent estimates in 2001 by the Parliamentary Commission for Human Rights reported that of the 7,230 persons being held in prison, only 2,500 were convicted.

The Code of Criminal Procedure provides legal protection to suspects, including the right to a lawyer, to a medical examination, and to inform next of kin. Under the Code, arresting officers are required to refer a subject to a prosecutor within 48 hours of arrest. If a suspect is held more than 48 hours without formal charges, the arrest is considered arbitrary and the detainee must be released. In such cases, officials responsible for the prolonged arrest may be prosecuted on charges of depriving personal freedom. A suspect caught in hot pursuit must be referred to an examining judge, who decides whether to issue an indictment or order the release of the suspect. Under the Code, bail is available in all cases regardless of the charges. Many provisions of the Code were not observed in practice.

Defendants have the right to legal counsel, but there was no state-funded public defender's office. The bar association operated an office for those who could not afford a lawyer, and the court panel on many occasions asked the bar association to appoint lawyers for defendants.

Security forces continued the practice of arbitrary detention and arrest. On several occasions during the year, security forces detained and arrested hundreds of citizens on grounds of national security. Protestors were also arbitrarily detained and arrested (see Section 2.b.). The Government also detained, interrogated, and beat journalists (see Section 2.a.).

On September 10, the Surete Generale detained and questioned Samira Trad, executive manager of Frontiers Center, a private company that conducted studies and advocates for the rights of marginalized people, for her human rights activities. Authorities questioned her concerning slandering the country and operating an illegal association.

The Government initially held incommunicado most of the 3,000 SLA members who surrendered to the authorities following the IDF's withdrawal in 2000; however, lawyers and family members have since been provided access. The authorities often detained without charge for short periods of time political opponents and opponents of the Syrian Government. Legal action against them remained pending at year's end; however, they were free to travel abroad.

Palestinian refugees were subject to arrest, detention, and harassment by state security forces, Syrian forces, and rival Palestinians. For example, Palestinian refugees living in camps are not allowed to bring in construction material to repair damaged houses. Lebanese security services use this as leverage to recruit informers and buy their allegiance. In December, the LAF arrested without charge Khalid Shayeb, Fatah's chief official in the Biq'a at a checkpoint outside of Ain el-Hilweh camp; he was released shortly thereafter.

There were no allegations during the year of the transfer of citizens by government authorities to Syria. By year's end, 9 of 54 persons who were arrested by Syrian Forces during and after the civil war, and turned over in 2000 to the Government, remained in government custody, including Abu Haytham Karara, an official of the Progressive Socialist Party. No formal charges were brought against them. Human rights activists believed that there were numerous Lebanese, Palestinians, and Jordanians in prolonged and often secret detention. According to AI, Syrian forces operating in the country carried out searches, arrests, and detentions of citizens outside any legal framework.

The law does not provide for forced exile, and it was not practiced regularly.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, it was subject to political pressure. The Constitution provides for a constitutional council to determine the constitutionality of newly adopted laws upon the request of 10 members of Parliament and stipulates that judges shall be independent in the exercise of their duties; however, influential politicians as well as Syrian and Lebanese intelligence officers at times intervened and protected their supporters from prosecution.

The judicial system consists of the regular civilian courts; the Military Court, which tries cases involving military personnel and civilians in security-related issues; the Judicial Council, which tries national security cases; and the tribunals of the various religious affiliations, which adjudicate matters of personal status, including marriage, divorce, inheritance, and child custody (see Section 5).

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security. Upon the recommendation of the Minister of Justice, the Cabinet decides whether to try a case before this tribunal. Verdicts from this tribunal are irrevocable and may not be appealed.

The Ministry of Justice appoints all other judges based on the religious affiliation of the prospective judge. A shortage of judges impeded efforts to adjudicate cases backlogged during years of internal conflict. Trial delays were aggravated by the Government's inability to conduct investigations in areas outside of its control.

Trials were generally public, but judges had the discretion to make a court session secret. Defendants have the right to be present at trial and the right of timely consultation with an attorney. Defendants have the right to confront or question witnesses against them but must do so through the court panel, which decides whether or not to permit the defendant's question. Defendants and their attorneys have access to government-held evidence relevant to their cases and the right of appeal. These rights generally were observed in practice.

Defendants on trial for security cases, which were heard before the Judicial Council, have the same procedural rights as other defendants; however, there was no right to appeal in such cases. The testimony of a woman is equal to that of a man (see Section 5).

The Military Court has jurisdiction over cases involving the military as well as those involving civilians in espionage, treason, weapons possession, and draft evasion cases. Civilians may be tried for security issues, and military personnel may be tried for civil issues. The Military Court has two tribunals--the permanent tribunal and the cassation tribunal--the latter hears appeals from the former. A civilian judge chairs the higher court. Defendants on trial under the military tribunal have the same procedural rights as defendants in ordinary courts.

During the year, the Military Court continued trying the cases of the approximately 3,000 SLA militiamen who surrendered to the Government following the IDF withdrawal. Domestic human rights groups and international nongovernmental organizations (NGOs) reported that the trials were open to journalists and members of the public but were not fair. AI reported that such summary trials neither allowed the innocent to be acquitted nor ensured the discovery of those who may be guilty of war crimes. The standard defense presented by lawyers for the militiamen was that the Government had been unable to defend citizens living under Israeli occupation for the last 22 years. Therefore the residents had no choice but to work with the occupiers.

Approximately one-third of the former SLA members received 1-year prison sentences and approximately one-third received sentences of 3 to 4 weeks. Two persons implicated in torture of prisoners at al-Khiam prison were sentenced to life in prison. The military prosecutor recommended the death sentence for 37 (21 tried while in government custody; 16 tried in absentia) former SLA militiamen for allegedly killing members of "the resistance" (i.e., Hizballah). The Military Court denied every recommendation for the death sentence. Unlike in previous years, there were no reports that the Government or Hizballah subjected former SLA members who returned to their villages to regular harassment.

In 2002, Mahmoud Salim Mahboubia filed a claim that armed individuals broke into his house and kidnapped his son, Mohammed, a former SLA member who was released from Roumieh prison after serving a 2-year sentence. By year's end, no action had been taken on Mahboubia's claim.

On August 8, a prominent human rights lawyer critical of the judiciary, Muhammad Mughrabi, was arrested and charged with impersonating a lawyer. The arrest followed a January action by the Beirut Bar Association disbaring Mughrabi. He was released after 3 weeks in detention, and charges were dropped in September due to lack of evidence.

In 2001, the bar association lifted the immunity of lawyer Muhammad Mughrabi to permit Mughrabi's prosecution for criticizing the country's judicial system at a press conference. Consequently, five different penal cases were started against him, but due to appeals filed by Mughrabi against the bar association, all remained pending in court at year's end. In one case, the prosecution moved against Mughrabi without seeking the Bar Association's permission. Mughrabi appealed the prosecutor's decision to the Court of Cassation, which ruled in his favor (see Section 2.a.).

There was no action taken in the 77 military and civilian cases of 'Awn and Ja'Ja supporters. The cases of Nadim Lteif and Hikmat Deeb, who were charged with defaming the Lebanese and Syrian armies, were referred to both military and civilian courts (see Section 1.d.). In December, a trial session in the case of 13 of the 'Awnist supporters was held, and the court announced that it would render a verdict in February 2004.

Palestinian groups in refugee camps operated an autonomous and arbitrary system of justice. For example, local popular committees in the camps attempted to solve disputes using tribal methods of reconciliation. If the case involved a killing, the committees occasionally used their good offices to hand over the perpetrator to Lebanese authorities for trial.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The Constitution provides for the inviolability of the domicile; however, authorities frequently interfered with the privacy of persons regarded as enemies of the Government. The law requires that prosecutors obtain warrants before entering homes, except when the security forces are in close pursuit of armed attackers; however, the law was not respected in practice.

The Government and Syrian intelligence services used informer networks and monitored telephones to gather information on their perceived adversaries. The Army Intelligence Service monitored the movements and activities of members of opposition groups (see Section 2.b.). The Government conceded that security services monitored telephone calls but claimed that monitoring occurred only with prior authorization from competent judicial authorities.

Militias and non-Lebanese forces operating outside the area of central government authority frequently violated citizens' privacy rights. Various factions also used informer networks and the monitoring of telephones to obtain information regarding their perceived adversaries. Despite a 2000 law regulating eavesdropping, security services continued to eavesdrop without prior authorization. Politicians and human rights advocates reported increasing and more overt government intelligence services' surveillance of political meetings and political activities across the religious and political spectrum.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government limited these rights in practice, particularly by detaining and charging activists critical of government policies and by intimidating journalists and broadcasters into practicing self-censorship. The Government censored television and radio broadcasts on a case-by-case basis.

Despite repeated attempts to restrict freedom of opinion and speech during the year, daily criticism of government policies and leaders continued. Dozens of newspapers and hundreds of periodicals were published throughout the country and were financed by various local and foreign groups. The press was privately owned, and press content often reflected the opinions of financial backers.

The Government continued to restrict radio and television broadcasts in a discriminatory manner. There were 7 television stations and 37 radio stations. The Government owned one television and one radio station; the remaining stations were owned privately. Inexpensive satellite television was available widely.

Although the Government did not censor broadcasts directly, government officials exerted pressure on journalists to practice self-censorship. In November 2002, the Government pressured the Lebanese Broadcasting Corporation International (LBCI) not to air a talk show that was to include an outspoken opposition figure. During 2002, the Government also pressured the media not to report on the arrest in Syria of an al-Hayat correspondent.

The Government had several legal mechanisms at its disposal to control freedom of expression. The Surete Generale was authorized to censor all foreign magazines and nonperiodical works, including plays, books, and films, before they were distributed in the market. The law prohibits attacks on the dignity of the head of state or foreign leaders. The Government may prosecute offending journalists and publications in the Publications Court, a special tribunal empowered to try such matters. Moreover, the 1991 security agreement between the Government and Syria contained a provision that effectively prohibits the publication of any information deemed harmful to the security of either state. In view of the risk of prosecution, journalists censored themselves on matters related to Syria.

During the year, the Government continued to harass, abuse, and detain journalists. On March 12, Adonis Akra, author of a book entitled "When My Name Became 16: 15 Days in Detention," was banned from attending the signing ceremony at a book festival. Prosecutor General, Adnan Addoun, indicated that Akra signed a petition pledging neither to publish his book nor to participate in any advertising activity for the book. Akra was among those arrested during a 2001 opposition crackdown. Akra and the owner of the publishing house were referred to the Publication Court for harming the army, the judiciary, the political authority, and the country's relations with a sisterly nation. The court had begun a hearing process by year's end; however it was unclear when a verdict would be issued.

On July 23, upon instruction of the Prosecutor General, Beirut Public Prosecutor Joseph Maamari charged Amer Mashmushi, the managing director of daily al-Liwa, with defaming the President of the Republic. If convicted, Mashmushi could serve a sentence of up to 2 years imprisonment and a fine of up to \$60,000 (90 million pounds). The case remained pending in court at year's end.

On November 3, Beirut Chief Investigating Judge Hatem Madi formally indicted self-exiled former general Michel 'Awn and charged him under Article 288 of the Penal Code for making statements unauthorized by the Government which could harm the country's relations with a sisterly nation, spreading false news abroad, aggravating sectarian tensions, and impersonating a high civilian government official when he testified before a foreign government. If convicted, 'Awn could face imprisonment for up to 15 years and be banned from returning to the country. The case was referred to court, which had not taken any action by year's end.

There were no new developments in the 2002 censorship lawsuits against the Saudi-owned daily Asharq al-Awsat and the International Herald Tribune (IHT) for a pro-Israeli advertisement of the Anti-Defamation League.

On February 21, the Beirut investigating judge issued a permanent search warrant to disclose the names of persons responsible for running a pro-Israeli advertisement in the IHT. The judge also dropped charges brought against the publisher and editor-in-chief of the local English newspaper Daily Star, who was the legal representative of IHT in the country.

In 2002, the Beirut Public Prosecutor filed a lawsuit against the chairman and news editor of LBCI for having "instigated sectarian discord and threatened civil peace" during its coverage of a shooting incident in which eight employees of the Ministry of Education were killed. The case remained pending in court at year's end. In 2002, the Beirut Public Prosecutor charged the Murr Television Station (MTV), its political news director, and the host of the "Referendum" political talk show with "broadcasting material whose nature is to damage ties to a sisterly nation" (Syria) and "assailing the dignity of the President, slandering the security services and undermining social order." At year's end, the cases against the news director and the talk show host remained pending.

At year's end, MTV and Radio Mount Lebanon (RML) remained closed. On April 23, the Lebanese Publication Court of Cassation ruled against reopening MTV and RML, marking the end of a series of appeals to reverse the September 2002 closure decision. Both had been closed in 2002 under the Parliamentary Election Law, which stipulates closure for broadcasting election propaganda during campaigns.

During 2002, State Prosecutor Addoum announced that he would examine declarations, including TV interviews and press statements, made by opposition members in the country and abroad after the Christian Maronite World Congress held in Los Angeles in June in search of elements which could incriminate them. This included statements about Syria and the Syria Accountability Act. Addoum ordered security agencies to gather information about opposition activities outside of the country.

There was no action taken in the 2001 cases of: Joseph Nasr, the editor-in-chief of the daily newspaper An-Nahar; Rafi Madayan; and the weekly newspaper Al-Watan Al-Arabi.

In general, the Government did not restrict Internet access, and it was used widely.

The Government did not restrict academic freedom, and the country had a strong private educational system.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricted this right in practice. Any group that wished to organize a rally had to obtain the prior approval of the Ministry of Interior, which did not render decisions consistently. Groups opposing government positions sometimes did not receive permits.

On several occasions during the year, military personnel used excessive force to disperse protesters of government political and economic policies and the Syrian presence in the country, sometimes detaining or arresting them (see Sections 1.c. and 1.d.).

During February and March, several demonstrations and sit-ins were staged in the country to protest the war in Iraq. The Government provided protection and security for foreign interests during that period. On March 21, approximately 450 protestors gathered near an embassy in Awkar. A small group of protestors threw rocks at LAF and ISF personnel, while others attempted to breach the perimeter established by government authorities. The authorities repelled and dispersed the crowd using water canons and tear gas. Sit-ins were also organized near another embassy and U.N. House in downtown Beirut.

On May 3, the anti-Syrian Free Patriotic Movement staged a demonstration near the Ministry of Foreign Affairs to reject terrorism and to reiterate its call for Syrian withdrawal from the country. The protestors clashed with riot police, who used water canons and batons to disperse the crowd. At least 7 demonstrators were injured and the security forces arrested more than 15 persons, all of whom were later released. The ISF issued a statement saying that protestors had stoned ISF personnel and attacked them with flagpoles, resulting in the serious injury of three ISF officers and damage to a military vehicle.

In 2002, at least 20 nonviolent demonstrations and sit-ins occurred in support of the Palestinian Intifada. The Government provided protection and security for foreign interests during that period. However, on April 3, a demonstration of 3,500-4,000 took place at a diplomatic mission. When the crowd attacked security forces with stones, the security forces deployed tear gas and water cannons to disperse it. At least seven police members and some demonstrators were slightly injured.

The Constitution provides for freedom of association, and the Government did not interfere with most organizations; however, it imposed limits on this right. The law requires every new organization to submit a notification of formation to the Ministry of Interior, which issues a receipt. In addition to what is provided by law, the Ministry of Interior imposed on organizations further restrictions and requirements that were not enforced consistently. The Ministry at times withheld the receipt, essentially transforming a notification procedure into an approval process. In December, the State Consultative Council ruled in favor of a complaint lodged by a human rights watchdog, ADEL (Justice), revoking the Ministry of Interior's practice of turning a notification process into an approval process. The Ministry in some cases sent notification of formation papers to the security forces, which then conducted inquiries regarding an organization's founding members. The Ministry may use the results in deciding whether to approve the group.

Organizations must invite Ministry representatives to any general assembly where votes are held for by-law amendments or elections are held for positions on the board of directors. The Ministry also required every association to obtain its approval of any change in by-laws; failure to do so could result in the dissolution of the association.

The Cabinet must license all political parties. The Government scrutinized requests to establish political movements or parties and to some extent monitored their activities. The Army Intelligence Service monitored the movements and activities of members of opposition groups (see Section 1.f.).

The Government closely monitored groups critical of Syrian policies, and their members were subject to harassment and arrest by the Government.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, there were some restrictions. Discrimination based on religion is built into the system of government. The Government subsidized all religions, and all Muslim religious judges received monthly salaries from the Government.

There is no state religion; however, politics are based on the principle of religious representation, which was applied to every aspect of public life.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that such principles did not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to maintain its continuity. Alternatively, religious groups may apply to obtain recognition through existing religious groups. Official recognition conveys certain benefits, such as tax-exempt status and the right to apply the recognized religion's codes to personal status matters. Each recognized religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance. State recognition is not a legal requirement for religious worship or practice. For example, although Baha'is, Buddhists, Hindus, and some evangelical denominations were not recognized officially, they were allowed to practice their faith without government interference; however, their marriages, divorces, and inheritances in the country were not recognized under the law.

Protestant evangelical churches are required to register with the Evangelical Synod, which represents those churches to the Government. Representatives of some churches have complained that the Synod has refused to accept new members since 1975, thereby crippling their clergy's ability to administer to communities with their beliefs. The last time a group was registered was the Coptic Church in 1997. Other groups, such as the Pentecostal Church, encountered difficulty in registering. The Pentecostal Church applied for recognition from the Evangelical Sect, but the leadership of the Evangelical Sect refused to register new groups in contravention of Lebanese law. The Pentecostal Church is pursuing recourse through the Ministry of Interior.

The unwritten "National Pact" of 1943 stipulates that the President, the Prime Minister, and the Speaker of Parliament be a Maronite Christian, a Sunni Muslim, and a Shi'a Muslim, respectively. The 1989 Taif Accord, which ended the country's 15-year civil war, reaffirmed this arrangement, but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President. The LAF, through universal conscription and an emphasis on professionalism, significantly reduced the role of confessionalism (or religious sectarianism) in the armed forces. Christians and Muslims were represented equally in the Parliament. Seats in the Parliament and Cabinet and posts in the civil service were distributed proportionally among the 18 recognized groups (see Section 3).

The Government required that religious affiliation be encoded on national identity cards, but not on passports.

Many family and personal status laws discriminated against women. For example, Sunni inheritance law provides a son twice the inheritance of a daughter. Although Muslim men may divorce easily, Muslim women may do so only with the concurrence of their husbands. There is no law that permits civil marriages, although such ceremonies performed outside the country were recognized by the Government. Only religious authorities may perform marriages.

There were no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment strongly discouraged such activity. In 2002, there were reports that members of the Maronite Christian community in Kesirwan, with the knowledge of local clergy, occasionally verbally harassed church leaders and persons who attended an unrecognized Protestant evangelical church.

In December 2002, a bomb blast destroyed a mosque and shrine in the east near the border with Syria but injured no one. A 110-pound explosive charge was planted on the mosque grounds in the town of Anjar, home to a large Armenian community. Local residents stated that a Muslim charitable endowment that owned the mosque grounds had been involved in long-running disputes with local persons over land ownership in the area. Authorities were investigating the attack on the shrine, which was estimated to date back 800 years and was a popular pilgrimage site for Sunni Muslims, at year's end. Local Muslim clerics severely criticized the attack, which occurred as Muslims prepared for the 'Eid al-Fitr feast marking the end

of the holy month of Ramadan.

Also in December 2002, a Sunni army conscript shot a Christian conscript. The security forces chased the culprit and killed him in an exchange of gunfire. Security forces arrested one Sunni cleric and charged him with inciting confessional violence.

At year's end, no one had been arrested in connection with the 2002 bombing of a Greek Orthodox church in Tripoli and the Saint Elias Maronite Church in Sidon and the burning of a mosque.

During 2002, an American citizen missionary affiliated with the Christian and Missionary Evangelical Alliance was killed in Sidon. No group claimed responsibility for the killing (see Section 1.a.).

For a more detailed discussion, see the 2003 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice; however, there were some limitations. The law prohibits travel to Israel. The LAF and Syrian troops maintained checkpoints throughout much of the country. All men between 18 and 21 years of age are subject to compulsory military service and are required to register at a recruitment office and obtain a travel authorization document before leaving the country. Married women can obtain a passport without their husband's signature and approval. Spouses may obtain passports for their children who are less than 7 years of age after obtaining the approval of the other spouse. To obtain a passport for a minor child between 7 and 18 years the father or legal guardian needs to sign the request to obtain a passport (see Section 5).

There were no legal restrictions on the right of citizens to return to the country. However, many emigres were reluctant to return for a variety of political, economic, and social reasons. The Government encouraged the return to their homes of over 600,000 internally persons displaced during the civil war. Although some persons began to reclaim homes abandoned or damaged during the war, the vast majority had not attempted to reclaim and rebuild their property. The resettlement process was slowed by tight budgetary constraints, destroyed infrastructure, political feuds, a lack of schools and economic opportunities, and the fear that physical security still was inadequate in some parts of the country.

In 2000, approximately 6,000 SLA militiamen and their families fled to Israel. At year's end, approximately 3,000 had returned to the country. Several hundred relocated elsewhere outside of Israel, and approximately 3,000 remained in Israel at year's end. Of the former SLA personnel who returned to the country, most received prison sentences of varying lengths (see Section 1.e.). The Government publicly stated that the former SLA militiamen were welcome to return to the country, but that they would face trial upon their return.

Most refugees were Palestinians. The U.N. Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in the country registered with the UNRWA was approximately 390,000 in May. This figure, which represented refugees who arrived in 1948 and their descendents, was presumed to include many thousands who reside outside of the country. Most experts estimated that the actual number in the country was between 150,000 and 200,000. According to Surete Generale records, the number of registered Palestinian refugees was approximately 418,000. Most Palestinian refugees were unable to obtain citizenship and subject to governmental and societal discrimination, particularly in the area of employment; however, Palestinian women who married Lebanese men could obtain citizenship (see Section 5). On May 8, the State Consultative Council invalidated the 1994 naturalization decree in which several thousand Palestinian nationals were naturalized. As a result, approximately 4,000 cases, some of which are families including several siblings, will lose their Lebanese citizenship. The Council referred the issue to the Ministry of Interior to review the files and decide their legal status. The Ministry was reviewing the files and had not issued a decision by year's end.

The Government issued travel documents to Palestinian refugees to enable them to travel and work abroad. The Government did not issue visitors' visas to Jordanian nationals who were born in the country and were of Palestinian origin.

On several occasions, Hizballah operatives interfered with the freedom of movement of UNIFIL personnel. According to the U.N. Secretary General's report, at year's end, no action was taken against the 15 Hizballah operatives who injured 3 UNIFIL observers in April 2002, despite government assurances that the perpetrators would be arrested and brought to trial.

The law does not provide for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. In practice, the Government provided some protection against refoulement and granted refugee status. On September 9,

the Surete Generale signed an agreement with the U.N. High Commissioner for Refugees (UNHCR) recognizing and granting protection to non-Palestinian refugees, providing temporary relief for those seeking determination of refugee status. Those wishing to claim refugee status have to do so within 2 months of arriving in the country. The Surete Generale issues residence permits, valid for 3 months, during which time UNHCR must make a refugee status determination. The Surete Generale extended residency permits for up to a total of 12 months for those accorded refugee status by UNHCR. The Government granted admission and temporary (6 months) refuge to asylum seekers, but not permanent asylum. The Government generally cooperated with the offices of UNHCR and UNRWA.

According to the UNHCR, there were nearly 2,500 non-Palestinian refugees, primarily Iraqis, Somalis and Sudanese, residing in the country. The Surete Generale detained few and the UNHCR was granted access to them.

On October 25, 16 of 46 Iraqi Kurds stranded in Naquora on the Lebanese-Israeli border were voluntarily repatriated to Iraq after 2 years spent in limbo. The return was organized in coordination with UNHCR, the U.N., the Surete Generale, and foreign embassies.

More than 1,500 Iraqis voluntarily returned to Iraq on Government-sponsored convoys in May, June and December.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides that citizens have the right to change their government in periodic free and fair elections; however, lack of control over parts of the country, defects in the electoral process, strong Syrian influence over politics and decision makers, and weak security significantly restricted this right.

The Constitution provides that elections for the parliament must be held every 4 years. In turn, the parliament elects the president every 6 years. The president and parliament nominate the prime minister, who, with the president, chooses the Cabinet. According to the unwritten National Pact of 1943, the president must be a Maronite Christian, the prime minister a Sunni Muslim, and the Speaker a Shi'a Muslim (see Section 2.c.).

The parliamentary elections in 2000 showed fewer incidents of voter fraud and tampering with ballots than previous elections; however, the process was flawed with serious shortcomings, including Syrian government influence on the electoral law and candidate selection, progovernmental media manipulation, and improper activities of security services.

On September 14, a by-election held in the Baabda-Aley district for a Maronite Christian seat was reportedly held in a calm atmosphere, without government pressure to vote for a particular candidate or government interference in campaigning. The Lebanese Association for Democratic Elections (LADE) registered several irregularities, such as the presence of security personnel in polling stations, incomplete voter registration lists, and a lack of secret balloting.

In June 2002, a by-election held in the Metn district for the Greek-Orthodox seat was reportedly marred by numerous irregularities, in addition to the Minister of Interior's claim that the secret ballot is "optional." In November 2002, the Constitutional Council named the third-placed candidate the winner.

In September 2001, municipal elections were held for the first time since 1963 in 64 villages and towns in areas formerly occupied by Israel. Local observers reported that the elections were generally free and fair; however, there were some irregularities, including attempts by government agencies to pressure candidates and voters, the presence of unauthorized persons inside polling stations, and the absence of registration committees on voting day to correct errors in voters lists.

Women have the right to vote, and there are no legal barriers to their participation in politics; however, there were significant cultural barriers. No woman has ever held a cabinet position. There were 3 women in the 128-seat Parliament.

Palestinian refugees had no political rights (see Section 5). An estimated 17 Palestinian factions operated in the country and were generally organized around prominent individuals. Most Palestinians lived in refugee camps controlled by one or more factions. Refugee leaders were not elected, but there were "popular committees" that met regularly with UNRWA and visitors.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Several local human rights groups generally operated freely without overt government restriction, including the Lebanese Association for Human Rights, the Foundation for Human and Humanitarian Rights-

Lebanon, and the National Association for the Rights of the Disabled, investigating and publishing their findings. In general, government officials were cooperative, except when some of these groups sought to publicize the detention in Syria of hundreds of citizens. The bar association and other private organizations regularly held public events that included discussions of human rights issues. Some human rights groups reported harassment and intimidation by government, Syrian, or Hizballah forces. In September, the Government detained overnight the head of Frontiers Center (see Section 1.d.).

The Government generally cooperated with international NGOs and met with them during the year. In 2002, the U.N. High Commissioner for Human Rights met with senior government officials. The ICRC and AI maintained offices in the country. During the year, government officials discussed human rights problems with representatives of foreign governments and NGOs.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for equality among all citizens; however, in practice, some aspects of the law and traditional beliefs discriminated against women. Although the law reserves a percentage of private sector and government jobs to persons with disabilities, there were few accommodations made for them. Discrimination based on race, language, or social status is illegal and was not widespread among citizens; however, foreign domestic servants often were mistreated. There was credible evidence that foreign domestic servants suffered physical abuse, had pay withheld or unfairly reduced, or were forced to remain locked within their employer's home for the duration of their contracts.

Women

The law does not specifically prohibit domestic violence; however, violence against women was a common problem. Cases reported were believed to be only a fraction of the actual number. There were no authoritative statistics on the extent of spousal abuse; however, most experts agreed that the problem affected a significant portion of the female population. Despite a law prohibiting battery with a maximum sentence of 3 years in prison for those convicted, some religious courts legally may require a battered wife to return to the house in spite of physical abuse. Many women were compelled to remain in abusive marriages because of social and family pressures. Possible loss of custody of children and the absence of an independent source of income also prevented women from leaving their husbands.

The Government had no separate program to provide medical assistance to battered women; however, it provided legal assistance to victims who could not afford it regardless of their gender. In most cases, police ignored complaints submitted by battered or abused women. The Lebanese Council to Resist Violence Against Women worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence.

Foreign domestic servants often were mistreated, abused, and in some cases, raped or placed in slavery-like conditions (see Section 6.f.). Asian and African female workers had no practical legal recourse available to them because of their low status, isolation from society, and because the labor laws did not protect them (see Section 6.e.). Because of such abuse, the Government prohibited foreign women from working if they were from countries that did not have diplomatic representation in the country.

The law prohibits rape, and the minimum sentence for a person convicted of rape is 5 years in prison. The minimum sentence for a person convicted of raping a minor is 7 years. During the year, the courts issued several sentences in cases involving rape; most offenders received 5 to 7 years in jail.

The legal system was discriminatory in its handling of "honor crimes." According to the Penal Code, a man who kills his wife or other female relative may receive a reduced sentence if he demonstrates that he committed the crime in response to a socially unacceptable sexual relationship conducted by the victim. For example, while the Penal Code stipulates that murder is punishable by either a life sentence or the death penalty, if a defendant can prove it was an honor crime, the sentence is commuted to 1 to 7 years imprisonment. Several instances of honor crimes are reported in the media every year, and reportedly there were an average of two to three cases of honor crimes each month. No person has been convicted in a case legally considered an honor crime.

The 1931 law on prostitution requires that brothels be licensed and that sex workers be tested regularly for disease. The law remains on the books and technically in effect. However, government policy since the late 1960s was to stop issuing new licenses for brothels in an attempt to gradually eliminate legal prostitution in the country; however, as a result of the civil war and the weakness of government institutions, illicit prostitution spread. In practice, most prostitution is unlicensed and illegal. Thousands of foreign women, primarily from Russia and Eastern Europe, traveled to the country to work as "artistes." The Surete General actively investigates adult clubs employing "artistes" and issues warnings to those that do not comply with regulations regarding employee working schedules and documentary requirements. The country was a destination for trafficked persons, primarily women (see Section 6.f.).

The law prohibits sexual harassment; however, it was a widespread problem. Women had varying employment opportunities in government, medicine, law, academia, the arts, and to a lesser degree, business. However, social pressure against women pursuing careers was strong in some parts of society. Men sometimes exercised considerable control over female relatives, restricting their activities outside of the home or their contact with friends and relatives.

Women may own property but often ceded control of it to male relatives for cultural reasons and because of family pressure.

The law provides for equal pay for equal work for men and women. The law gives women serving in government the same rights as men in terms of medical coverage and hospitalization, meaning that women serving in government can claim reimbursement for medical coverage, hospitalization, and family allowances in cases when they are single or their husband is unemployed or does not otherwise have coverage. Only men may confer citizenship on their spouses and children. Accordingly, children born to citizen mothers and foreign fathers are not eligible for citizenship. Citizen widows may confer citizenship on their minor children.

Children

The plight of children was a growing concern for the Government. Education was free in public schools and compulsory until age 13. However, public schools generally were inadequate, lacking proper facilities, equipment and trained staff. A recent study indicated that 70 percent of Arabic teachers in public schools do not know the rules of Arabic. A public school in Quornet Shahwan must use the adjacent village cemetery as its playground. The cost of private education was a significant problem for the middle and lower classes. UNICEF reported that in the 2000 school year, approximately 85 percent of children between the ages of 3 and 5, and approximately 98 percent of children between the ages of 7 to 11 were enrolled in school. In some families with limited incomes, boys received more education than girls. The illiteracy rate was approximately 38 percent. An undetermined number of children were neglected, abused, and exploited. There are periodic reports that parents force children to beg in the streets or work in the fields to help support the family. The normal procedure for adoption was through religious homes or institutions authorized to arrange adoption; however, the demand to provide infants for adoption abroad resulted in illegal international adoptions. There were no statistics available concerning the prevalence of the illegal adoption of infants. Poor children often were compelled by their parents to seek employment and often took jobs that jeopardized their safety (see Section 6.d.). The Government did not have specific child protection laws to remove children from abusive situations and did not grant NGOs adequate legal standing to litigate on behalf of abused minor children.

In 2002 and during the year, the police discovered and broke up several child prostitution rings.

Persons with Disabilities

The Disability Law mandates disabled access to buildings; however, the Government failed to take steps to amend building codes to conform to the law. Approximately 100,000 persons became disabled during the civil war. Families generally cared for persons with disabilities. Most efforts to assist persons with disabilities were made by approximately 100 private organizations. These organizations were relatively active, although poorly funded.

The law on persons with disabilities stipulates that at least 3 percent of all government and private sector positions should be filled by persons with disabilities, provided that such persons fulfill the qualifications of the position; however, there was no evidence that the law was enforced in practice.

In 2002, joint committees composed of the National Committee for the Disabled and the Ministries of Health, Labor, and Education were formed to implement the law on persons with disabilities. In 2002, the Ministry of Finance informed all firms and companies that it would not settle obligations with them unless they proved that 3 percent of their workforce was composed of persons with disabilities; however, the Ministry failed to enforce this decision in practice.

Many persons with mental disabilities are cared for in private institutions, many of which are subsidized by the Government.

National/Racial/Ethnic Minorities

According to the UNRWA, an estimated 390,000 Palestinian refugees were registered in the country (see Section 2.d.); however, it was believed that approximately 150,000 to 200,000 Palestinians actually resided in the country. Most Palestinian refugees lived in overpopulated camps that suffered repeated heavy damage as a result of fighting during the civil war, during the Israeli invasion of the country, and during on-going camp feuds. The Government generally prohibited the construction of permanent

structures in the camps on the grounds that such construction encouraged the notion of permanent refugee settlement in the country. Refugees feared that the Government may reduce the size of the camps or eliminate them completely. Very few Palestinians received work permits, and those who found work usually were directed into unskilled occupations. Palestinian incomes continued to decline. The law prohibited Palestinian refugees from working in 72 professions.

Palestinian refugees do not have the right to own property in the country. Palestinians no longer may purchase property and those who owned property prior to 2001 will be prohibited from passing it on to their children. The Parliament justified these restrictions on the grounds that it was protecting the right of Palestinian refugees to return to the homes they fled after the creation of the state of Israel in 1948. Other foreigners may own a limited-size plot of land, but only after obtaining the approval of five different district offices. The law applies to all foreigners, but it was applied in a manner disadvantageous to the 25,000 Kurds in the country. The Government did not provide health services or education to Palestinian refugees, who relied on UNRWA for these services.

Palestinian children reportedly were forced to leave school at an early age to help earn income. The U.N. estimated that 18 percent of street children in the country were Palestinian. Poverty, drug addiction, prostitution, and crime reportedly were increasing in the camps, although reliable statistics were not available.

Section 6 Worker Rights

a. The Right of Association

The law provides that all workers, except government employees, may establish and join unions, and workers exercised this right in practice. Worker representatives must be chosen from those employed within the bargaining unit. About 900,000 persons formed the active labor force, 14 percent of whom were members of 210 labor unions and associations. Most of these unions formed federations. At year's end, 37 federations, with about 200,000 workers, were represented in the General Confederation of Labor (GCL).

Anti-union discrimination did not appear to be widespread, although there were credible reports that a small number of workers were fired following their participation in a general strike in October.

Palestinian refugees may organize their own unions; however, because of restrictions on their right to work, few Palestinians participated actively in trade unions.

Unions were free to affiliate with international federations and confederations, and they maintained a variety of such affiliations.

b. The Right to Organize and Bargain Collectively

The right of workers to organize and to bargain collectively exists in law and practice. Most worker groups engaged in some form of collective bargaining with their employers. Stronger federations obtained significant gains for their members and on occasion assisted nonunionized workers. There were no government mechanisms to promote voluntary labor-management negotiations, and workers had no protection against anti-union discrimination.

The law provides for the right to strike. In 2002, the teachers' union went on a strike and then staged a demonstration to protest budget proposals including taxes on pensions and working hour increases.

In December, Lebanese University (LU) professors and students staged the largest demonstration in the country since 1992 when more than 15,000 people marched to protest threats to LU's autonomy, administrative shortcomings, and shrinking budgets.

In October, the General Confederation of Labor called a general strike to protest high unemployment, deteriorating social benefits, high taxes, planned privatization, and frozen minimum wages. An estimated 4,000 to 8,000 people participated in a peaceful march.

In June and July 2002, taxi and bus drivers held separate strikes to protest a new government anti-pollution measure calling for a switch from diesel to gasoline for all passenger vehicles carrying less than 15 passengers. Similar protests were carried out during the year.

There are no export processing zones (EPZs).

c. Prohibition of Forced or Bonded Labor

The law does not prohibit forced labor; however, children, foreign domestic servants, and other foreign workers sometimes were forced to remain in situations amounting to coerced or bonded labor (see Sections 5 and 6.e.).

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor was a problem. The Labor Code prohibits employment of workers under the age of 18 for more than 6 hours per day, and requires 1 hour of rest if work is more than 4 hours. The law defines workers under the age of 14 as child laborers. The amendments also entitle children to 21 days of paid annual leave. Children are prohibited from working between the hours of 7 p.m. and 7 a.m. The Code also prohibits certain types of mechanical work for children between the ages of 8 and 13 and other types for those between the ages of 13 and 16. The law prohibits children under the age of 18 from working in jobs that jeopardize their health, safety, or morals. The Ministry of Labor was responsible for enforcing these requirements; however, it did not apply the law rigorously. In 2002, a law was passed regarding the protection of juveniles exposed to danger; however, at year's end, there was no evidence of its implementation.

According to the Central Statistics Administration, 7.6 percent of working children were between the ages of 6 and 14. The report also indicated that of this 7.6 percent, 45.3 percent were performing all kinds of jobs, such as working in the fields and helping their parents in the home. Most of these child laborers were citizens, but some were Syrian; they worked predominantly in the agricultural, industrial, craft, and metallurgical sectors.

Approximately 40 percent of working children worked 10 to 14 hours per day, and few received social welfare benefits. In addition, the active labor force included approximately 52,000 workers between the ages of 15 and 19, who were not eligible for the minimum wage until they reached the age of 21.

e. Acceptable Conditions of Work

The Government set a legal minimum wage; during the year, it was approximately \$200 (300,000 Lebanese pounds) per month. The law was not enforced effectively in the private sector. The minimum wage was insufficient to provide a decent standard of living for a worker and family. Trade unions attempted to ensure the payment of minimum wages in both the public sector and the large-scale private sector.

The Labor Law prescribes a standard 6-day workweek of 48 hours, with a 24-hour rest period per week. In practice, workers in the industrial sector worked an average of 35 hours per week, and workers in other sectors worked an average of 30 hours per week. The law includes specific occupational health and safety regulations. Labor regulations require employers to take adequate precautions for employee safety. The Ministry of Labor was responsible for enforcing these regulations, and it did so unevenly. Labor organizers reported that workers did not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment. Foreign domestic servants, mostly of Asian and African origin, often were mistreated, abused, raped, or placed in situations of coerced labor or slavery-like conditions (see Sections 5 and 6.f.). Recruitment agencies and employers generally signed employment contracts requesting a foreign worker; the prospective foreign workers rarely were party to such contracts or, if they were, might not know what the contract stipulates because it was written in Arabic. Recruitment agencies or employers illegally confiscated the passports of foreign domestic workers when the workers arrived at the airport. The Government enacted regulations prohibiting employment agencies from withholding foreign workers' passports for any reason and specifically defined sponsors' responsibilities with regard to the treatment of domestics. The Ministry of Labor regularly met with source country embassies to ensure that foreign laborers and domestic workers were aware of the new employment agency regulations and the "complaint line" for reporting violations.

The labor laws do not protect foreign domestic servants. Domestic servants often worked 18 hours per day, and in most cases did not receive vacations or holidays. There was no minimum wage for domestic servants; their average wage was approximately \$100 (150,000 pounds) per month. Victims of trafficking or abusive labor situations may file civil suits or seek legal action.

The Ministry of Labor referred cases of abuse reported to its complaint line to law enforcement for investigation and prosecution. It also enacted regulations prohibiting employment agencies from withholding foreign workers' passports for any reason and specifically define sponsors' responsibilities with regard to the treatment of domestics. In 2002, 18 employment agencies were closed for non-compliance with these regulations.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, trafficking in persons was a problem. The Penal Code stipulates that "any person who deprives another of freedom either by abduction or any

other means shall be sentenced to temporary hard labor;" however, during the year, the Government did not prosecute such cases. During the year, the country was a destination for African and Asian women contracted as household workers, and East European and Russian women contracted as dancers in adult clubs. These women may have come voluntarily; however, there was evidence that many found themselves in coercive work situations from which they had little practical legal recourse. If forced prostitution or forced rendering of sexual services occurred as a result of an abduction, the Penal Code stipulates that the abductor be sentenced to at least 1 year in prison.

Many women became illegal workers because their employers did not renew their work and residency permits. Unscrupulous employers sometime falsely accused the employee of theft in order to relinquish responsibility for the employee as well as the taxes and airline ticket home (see section 6.e). Restrictions of movement and withholding of passports were common practices. A very small number of exploited foreign workers won cases against their employers. The judiciary did not usually acknowledge the violation of maids' rights, but in a few cases, courts decided in favor of foreign workers against whom charges had been brought.

In January, the public prosecutor bought and won a case on behalf of a maid against her employer. A Sri Lankan domestic worker was assaulted and burned with boiling water by her employer. The court ruled that the sponsor was responsible for the maid's well-being and ordered that the maid be paid compensation for her suffering as well as repatriation expenses.

On September 30, in an unprecedented verdict, a penal judge sentenced an employer to 15 days imprisonment on charges of beating her Filipina maid and burning her with an iron in 1999. The judge imposed a fine of \$1,000 (1.5 million pounds) as compensatory damages.

In October 2002, the criminal court of the Metn district acquitted two Filipina maids on charges brought against them by their employers for theft. In another case, a Sri Lankan maid was repatriated after her employer dropped charges brought against her for leaving her house.

During the year, the Government took new measures to counter trafficking, including signing the U.N. Convention against Transnational Organized Crime Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. During the year, the Ministry of Labor enacted regulations prohibiting employment agencies from withholding foreign workers' passports for any reason and specifically defining sponsors' responsibilities with regard to the treatment of domestics.

In 2002, the Surete Generale actively investigated adult clubs employing "artistes" from Eastern Europe and issued warnings to those who did not comply with regulations. It issued 20 warnings and closed one club. Other anti-trafficking measures included the closure of approximately 18 illegal employment agencies for violating trafficking related regulations by the Ministry of Labor, and participation in awareness programs, namely with the Embassy of Sri Lanka.

The Government did not fully comply with the minimum standards for the elimination of trafficking; however, it was making significant efforts to do so. The Government's strengths in combating trafficking are in the area of prevention.

The Government did not provide foreign workers with relief from deportation, shelter, or access to legal, medical or psychological services. However, social workers from the Caritas Migrant Center had full-time access to the government retention Center for Foreign Persons. A number of NGOs provided pro bono legal assistance and counseling to victims of trafficking; however, few victims used this service. In 2002, the Ministry of Labor also began implementing procedures for lodging complaints against employers or employment agencies.

