



1999 Country Reports on Human Rights Practices
Released by the Bureau of Democracy, Human Rights, and Labor
U.S. Department of State, February 25, 2000

239

LEBANON

Lebanon is a parliamentary republic in which, based on the unwritten "National Pact of 1943," the President is a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker of the Chamber of Deputies a Shi'a Muslim. The Parliament consists of 128 deputies, equally divided between Christian and Muslim representatives. President Emile Lahoud took office in November 1998 after an election heavily influenced by Syria. The judiciary is independent in principle but is subject to political pressure.

Non-Lebanese military forces control much of the country. These include about 25,000 Syrian troops, a contingent of approximately 2,000 Israeli Army regulars and 1,500 Israeli-supported militiamen in the south, and several armed Palestinian factions located in camps and subject to restrictions on their movements. All undermine the authority of the central Government and prevent the application of law in the patchwork of areas not under the Government's control. In 1991 the governments of Syria and Lebanon concluded a security agreement that provided a framework for security cooperation between their armed forces. However, an undetermined number of Syrian military intelligence personnel in Lebanon continue to conduct their activities independently of the agreement.

In 1989 the Arab League brokered a peace settlement at Taif, Saudi Arabia, to end the civil war in Lebanon. According to the Taif Accord, Syrian troops were to be redeployed from their positions in Lebanon's coastal population areas to the Bika' Valley, with full withdrawal contingent upon the fulfillment of other aspects of the Taif Accord and subsequent agreement by both the Lebanese and Syrian governments. Although the Syrian Government has refused to carry out this partial redeployment, strong Syrian influence over Lebanese politics and decisionmakers makes officials unwilling to press for a complete withdrawal, and no Lebanese government since the Taif Accord has requested formally the withdrawal of Syrian forces. The Government's relationship with Syria does not reflect the will of most Lebanese citizens.

Israel exerts control in and near its self-proclaimed "security zone" in south Lebanon through direct military action and support for its surrogate, the South Lebanon Army (SLA). With the tacit support of the Government, the Iranian-backed Shi'a Muslim faction Hizballah, and, to a much lesser extent, the Lebanese Shi'a group Amal and some Palestinian guerrillas continue to be locked in a cycle of attack and counterattack with Israeli and SLA troops. Palestinian groups operate autonomously in refugee camps throughout the country. During the year, the Government continued to consolidate its authority in those parts of the country under its control and continued to take tentative steps to exert its authority in the Bika' Valley and Beirut's southern suburbs. However, it did not attempt to reassert state control over the Palestinian camps or to disarm Hizballah and the SLA.

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 Surete Generale is responsible for the issuance of passports and residency permits, the screening and censoring of foreign periodicals, plays, documentaries, television programs, and movies, and the censoring of those parts that address national security issues and "morale." The security forces committed serious human rights abuses.

Before the 1975-90 hostilities, Lebanon was an important regional financial and commercial center. There is a market-based economy in which the majority of the private-sector work force is employed in the services sector, such as banking and commerce. There is a small industrial sector, based largely on clothing manufacture and food processing. The annual gross national product is estimated to be approximately \$5,000 per capita. A reconstruction effort, begun in 1992, is moving forward. Substantial remittances from abroad offset the trade deficit and resulted in a balance of payment surplus.

The Government's overall human rights record was poor, and serious problems remain, although there were some improvements in a few areas. The right of citizens to change their Government remains restricted by the lack of government control over parts of the country, shortcomings in the electoral system, and Syrian influence. Although the 1996 parliamentary elections represented a step forward, the electoral process was flawed, as the elections were not prepared or carried out impartially. Members of the security forces used excessive force and tortured and abused some detainees. Prison conditions remained poor. Government abuses also included the arbitrary arrest and detention of persons who opposed government policies. Lengthy pretrial detention and long delays in trials are problems, and the courts are subject to political pressure. The Government infringed on citizens' privacy rights, and continued surveillance of political activities during the year. The Government partially limited press freedom by continuing to restrict radio and television broadcasting in a discriminatory manner. Journalists practice self-censorship. The Government continued to restrict freedom of assembly, and imposes some limits on freedom of association. The Government imposes 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 servants are problems.

Artillery and aerial attacks by the various contending forces in parts of south Lebanon threaten life and property. These forces continue to commit abuses, including killings, bombings, and abductions. The SLA maintains a separate and arbitrary system of justice in the Israeli-controlled zone, which is independent of Lebanese central authority. During the year, SLA officials arbitrarily arrested, mistreated, and detained persons, and regularly expelled local residents from their homes in the zone. Palestinian groups in refugee camps maintain a separate, often arbitrary, system of justice for other Palestinians. Palestinians sometimes may appeal for legal recourse to Lebanese authorities, often through their agents in the camps. There were reports that members of the various groups that control the camps detained their Palestinian rivals and, in some instances, killed them.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no reports of political or extrajudicial killings by government authorities during the year.

The judicial system continues to suffer from a backlog of hearings into cases of death in custody, some as old as 5 years. These cases involve some individuals connected to political groups and some accused of criminal activity. There were no developments in the 1994 death of Tareq Hassaniyeh, who allegedly was beaten to death by authorities in the Bayt Al-Din prison, nor in the 1994 death of Fawzi Al-Racy, who died while in the custody of the Ministry of Defense. The Government no longer is pursuing the cases.

On June 8, unidentified gunmen shot and killed four judges at the Justice Palace in Sidon. The Government did not apprehend the perpetrators but believes that they belong to the outlawed Palestinian radical Islamic group "Esbat Al-Ansar," which is led by fugitive Ahmad Abed Al-Karim Al-Sa'di (also known as Abu Mahjin). The gunmen were believed

to be hiding in the Palestinian refugee camp of Ein Al-Hilweh at year's end.

In May an official of the Fatah faction of the Palestinian Liberation Organization (PLO), Amin Kayed, and his wife were killed in a drive-by shooting near Ein Al-Hilweh.

In August the coordinator of the Islamic Militia Operation in south Lebanon, Ali Deeb, was killed in Sidon, in a roadside bomb explosion.

A military tribunal sentenced Captain Camille Yared to 10 years in prison and 4 Lebanese Forces militiamen to death in absentia for carrying out a 1996 bus bombing in Syria, which killed 11 persons, as well as other bombings. The court also sentenced 13 other Lebanese Forces members to 7 years in prison. A court hearing in the appeal made by the accused is scheduled for February 20, 2000. In June a court sentenced former Lebanese Forces leader Samir Ja'Ja' to life in prison, and three Lebanese Forces militiamen to death in absentia, for killing former Prime Minister Rashid Karami in 1987 (see Section 1.e.).

A court hearing in the appeal made by the prosecutor's office regarding the 1976 killing of U.S. Ambassador Francis Meloy, Embassy officer Robert Waring, and their driver, Zohair Moghrabi has not been scheduled following a court verdict declaring the suspect, Tawfiq Mohammad Farroukh, not guilty of murder for his role in the killings.

There were no developments in the 1996 beating death of Akram Arbeed, who allegedly was attacked while accompanying a candidate in the 1996 parliamentary election. The case still is pending.

An estimated 50 Islamic resistance guerrillas, 13 Israeli soldiers, 27 Lebanese civilians, and 2 Israeli civilians were killed in south Lebanon during the year, as Hizballah, Amal, and Palestinian guerrillas on the one hand, and Israeli forces and the SLA on the other, engaged in recurring violence. For example, on June 22, Hizballah launched rocket attacks against northern Israel, which killed two Israeli civilians, in retaliation for Israeli Defense Forces (IDF) shelling of a Lebanese village. Israeli forces conducted repeated air strikes and artillery barrages on Hizballah, Amal, and Palestinian targets, including civilian infrastructure, inside Lebanon. For example, on June 24, 9 Lebanese were killed and 50 to 80 wounded in Israeli air raids, which also targeted civilian infrastructure, including electric power transformer stations and power lines in the Beirut area, Baalbek, and Bint Jubayl, and bridges along the main coastal highway at Damour, Sidon, and Tyre.

There were over 200 civilian injuries during the year, with most of the injuries involving minor wounds from shrapnel and broken glass. Citizens accounted for over 90 percent of the injured and Lebanese armed groups were responsible for some 23 percent of all injured civilians.

In south Lebanon, there is an average of two or three attacks daily against IDF and SLA military positions with a similar number of IDF and SLA counterattacks.

The Israel-Lebanon Monitoring Group continued to deal with alleged violations of the 1996 understanding between Israel and Hizballah not to target civilians or to launch attacks from civilian-populated areas.

On October 3, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb. There were no arrests made in connection with the case by year's end.

b. Disappearance

There were no reports of politically motivated disappearances. The Government has taken no judicial action against groups known to be responsible for the kidnappings of thousands of persons during the war between 1975 and 1990. In August Prime Minister Hoss

established a military commission to investigate the fate of all those who disappeared during the war.

The whereabouts of Boutros Khawand, who allegedly was abducted by Syrian forces in 1992, remain unknown; he is presumed to be held in Syria (see Section 1.d.).

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

Torture is not banned specifically by the Constitution, and there continued to be credible reports that security forces abused detainees and, in some instances, used torture. Human rights groups report that torture is a common practice. There also were credible reports that military intelligence officials used harsh interrogation procedures, including torture, on former members of the Lebanese Forces. Violent abuse usually occurs during the preliminary investigations that are conducted at police stations or military installations, where suspects are interrogated in the absence of an attorney.

In early October at a Greenpeace demonstration in the town of Selaata, LAF soldiers fired shots over the heads of protesters and beat them with their rifle butts. President Lahoud criticized the soldiers' behavior and called for an investigation. The soldiers were reprimanded officially (see Sections 2.a. and 2.b.).

In June violent clashes broke out between the ISF and angry residents of Jnah (in the southern Beirut suburbs) after officials from the Ministry of Displaced Affairs attempted to enter the area to measure houses and buildings prior to their demolition. Twenty-four persons, including 4 ISF personnel, reportedly were injured.

Abuses occurred in areas outside the state's authority, including the Palestinian refugee camps. There were reports during the year that members of the various groups that control the camps detained their Palestinian rivals.

In May Fatah official Jamal Dayekh lost both his legs in a booby-trapped car explosion in Sidon.

Prison conditions are poor and do not meet minimum international standards. The Ministry of Interior operates 18 prisons with a total capacity of 2,000 inmates. However, prisons are overcrowded, with a total population of nearly 5,000. Inmates lack heat, adequate toilet facilities, and proper medical care. The Government has not budgeted funds to overhaul the prison system. However, some efforts were made by other groups to improve conditions in Roumieh prison. For example, the Bar Association financed the renovation of two prison meeting rooms to allow lawyers to meet their clients in decent conditions and without having to obtain prior authorization. Inmates at Roumieh prison participated in vocational activities such as English-language courses and embroidery courses in order to provide them with skills upon release.

The Surete Generale, which mans border posts, operates a detention facility. Hundreds of foreigners, mostly Egyptians and Sri Lankans, are detained there pending deportation. They reportedly are held in small, poorly ventilated cells.

Former Lebanese forces leader Samir Ja'Ja', who is serving four life sentences for the murders of various political figures during and after the civil war, is kept in solitary confinement in a basement prison. He is permitted to exercise and receive occasional visits from his family and his lawyers. Government officials stated that his solitary confinement is necessary for his own protection.

Local journalists and human rights organizations had access to certain prisons during the year. Access to those prisons controlled by the Ministry of Defense was not given.

Hizballah detains and reportedly mistreats SLA members and suspected agents at

unknown locations. The SLA operates its own detention facility, Al-Khiam prison, and there are frequent allegations of torture and mistreatment of detainees. Hizballah and the SLA occasionally release and exchange prisoners.

Hizballah does not permit prison visits by human rights monitors. The SLA continued to allow representatives of the International Committee of the Red Cross (ICRC) and family members of inmates to visit detainees at Al-Khiam prison.

d. Arbitrary Arrest, Detention, or Exile

The Government uses arbitrary arrest and detention. The law requires security forces to obtain warrants before making arrests; however, military prosecutors, who are responsible for cases involving the military as well as those involving espionage, treason, weapons possession, and draft evasion, make arrests without warrants. Arresting officers are required to refer a subject to a prosecutor within 24 hours of arrest, but frequently do not do so.

The law requires the authorities to release suspects after 48 hours of arrest if no formal charges are brought against them. Some prosecutors flout this requirement and detain suspects for long periods in pretrial confinement without a court order. The law authorizes judges to remand suspects to incommunicado detention for 10 days with a possible extension for an additional 10 days. Bail is available only to those accused of petty crimes, not to those accused of felonies. Defendants have the right to legal counsel, but there is no state-funded public defender's office. The Bar Association operates an office for those who cannot afford a lawyer, and the court panel has on many occasions asked the Bar Association to appoint lawyers for defendants.

Security forces continued the practice of arbitrary arrest. Security forces detained and interrogated scores of citizens, predominately Christian supporters of ousted General Michel 'Awn, and of the jailed commander of the Lebanese Forces, Samir Ja'Ja'. These detentions and searches of homes took place without warrants, and detainees claim that they were not given access to lawyers. Most detainees were released after they were forced to sign documents stating they would abstain from politics.

During the year, the Government launched an anticorruption drive. Several former senior government officials were arrested on charges of embezzlement, misuse of power, and bribery. They all were detained for prolonged periods of time, in violation of the law. Most of those arrested were released on bail or the charges were dropped. However, the Minister of Petroleum, who was arrested in March on charges of embezzlement, remains in detention and has yet to be indicted.

On March 14, authorities detained students from the "National Free Current," a group that supports 'Awn, for distributing antigovernment and anti-Syria leaflets (see Section 2.b.).

There were no allegations during the year of the transfer of Lebanese citizens by Lebanese authorities to Syria. The number of Lebanese detainees remaining in Syria is uncertain; however, former President Elias Hrawi estimated that some 210 persons were in Syrian custody in 1996. Some 90 prisoners reportedly are still in Syrian jails. In 1997 Syria transferred 121 prisoners, most of whom had been held in Syrian jails since the outbreak of the Lebanese civil war in 1975, to the Lebanese authorities. Amnesty International (AI) reported that "hundreds of Lebanese, Palestinians, and Jordanians have been arbitrarily arrested, some over 2 decades ago, and remain in prolonged and often secret detention in Syria." According to AI, Syrian forces operating in Lebanon carried out searches, arrests, and detentions of Lebanese nationals outside of any legal framework.

The authorities often detain without charge for short periods of time political opponents of the Syrian and Lebanese governments. Abuses occurred in areas outside the state's authority, including the Palestinian refugee camps. There were reports during the year that members of the various groups that control the camps detained their Palestinian rivals.

Local militias and non-Lebanese forces continued to conduct arbitrary arrests in areas outside central government control. The SLA detains an estimated 140 citizens and an undetermined number of Palestinians at Al-Khiam prison in the south, although the number changes daily as persons are detained and others are released. Sheikh Abbas Mohsen, who was abducted from his home in Kafr Kila in November 1998, remains in detention in Al-Khiam prison.

During the year, 95 prisoners were released from Al-Khiam prison. The remains of 16 prisoners also were released.

Palestinian refugees are subject to arrest, detention, and harassment by state security forces, Syrian forces, various militias, and rival Palestinians.

Israel holds 41 Lebanese citizens, including Sheikh Abed Al-Karim Obaid and Mustafa Dirani, figures associated with Hizballah.

Exile as a form of punishment is not practiced regularly, although in 1991 the Government pardoned former army commander General Michel 'Awn and two of his aides on the condition that they depart country and remain in exile for 5 years. 'Awn was accused of usurping power. He remains in France.

Former President Amine Gemayel, who has lived in France for the past 10 years, has not been able to return to Lebanon and still resides in Paris. Gemayel planned to return to the country but was warned by the Government through unofficial channels not to return.

e. Denial of Fair Public Trial

The judiciary is independent in principle, but is subject to political pressure. The Constitution provides for a constitutional council to supervise the constitutionality of laws and stipulates that judges shall be independent in the exercise of their duties; however, influential politicians and Syrian intelligence officers sometimes intervene to protect their supporters from prosecution.

The judicial system is composed of the regular civilian courts; the Military Court, which tries cases involving military personnel and military-related issues; the Judicial Council, which tries national security offenses, and the tribunals of the various religious affiliations, which adjudicate family disputes, including marriage, inheritance, and personal status.

The Judicial Council is a permanent tribunal of five senior judges that adjudicates threats to national security. On 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 judges according to a formula based on the religious affiliation of the prospective judge. A shortage of judges has impeded efforts to adjudicate cases backlogged during the years of internal conflicts. Trial delays also are caused by the Government's inability to conduct investigations in areas outside its control. Defendants have the right to examine evidence against them. The testimony of a woman is equal to that of a man.

The trial of former Lebanese Forces leader Samir Ja'Ja' was considered by the media and human rights groups to be fair. The Judicial Council sentenced Ja'Ja' to life in prison and three Lebanese Forces militiamen to death in absentia for assassinating former Prime Minister Rashid Karami in 1987. The court also sentenced LAF Brigadier General Khalil Matar to 10 years in prison for his involvement in the assassination. The trial was public and the defense had access to all files and documents. However, following the trial, the

military prosecutor asked the Bar Association to lift the immunity of defense lawyer Karim Pakradouni. The Government accused Pakradouni of having contacts with Israel during the civil war. The Association refused the request, which it considered to be intimidation of Pakradoudni because of his role as defense counsel in the trial.

On June 8, unidentified gunmen shot and killed four judges at the Justice Palace in Sidon (see Section 1.a.).

In July the Government began trying some 220 SLA militiamen from the town of Jezzine who turned themselves over to the Government following the June SLA withdrawal from Jezzine. The militiamen have been tried on less serious charges than "collaboration with the enemy," which carries the death penalty. The average sentence passed down by the military tribunal was 1 year. Human rights groups and international nongovernmental organizations (NGO's) believe that the trials have been fair, procedurally correct, and open.

Hizballah applies Islamic law in areas under its control. Palestinian groups in refugee camps operate an autonomous and arbitrary system of justice. The SLA maintains a separate and arbitrary system of justice.

There were no reports of political prisoners.

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

While the authorities generally show little interest in controlling the personal lives of citizens, they readily interfere with the privacy of persons regarded as foes of the Government. Laws require that prosecutors obtain warrants before entering houses except when the army is in hot pursuit of an armed attackers; however, in practice the law is not respected.

The Government and Syrian intelligence services use informer networks and monitor telephones to gather information on their adversaries. The Army Intelligence service monitors the movements and activities of members of opposition groups (see Section 2.b). The Government concedes that telephone calls are monitored by security services, but claims that monitoring occurs only with the prior authorization of the competent judicial authorities. The joint parliamentary commission that was formed by the speaker in 1997 to investigate telephone wiretapping concluded its investigation in 1998, and its findings were made public in September. The report stated that the monitoring of cellular phone conversations most likely occurs, but did not confirm the practice.

In September parliamentary hearings were held amid widespread public debate on the Government's use of electronic surveillance of the telephone lines of politicians and private citizens. The Speaker of Parliament, the Minister of Interior, and the Surete Generale Director General publicly acknowledged that government eavesdropping exists. 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. In October the Parliament passed a law that authorized surveillance in national security and law enforcement cases, but banned its use against ministers and parliamentary deputies.

Militias and non-Lebanese forces operating outside the area of central government authority frequently have violated citizens' privacy rights. Various factions also use informer networks and monitor telephones to obtain information on their adversaries.

On January 8, SLA forces reportedly expelled 25 members of the Nab'a family, including 16 children, from their home village of Shab'a, located in Israel's self-declared security zone. On May 4, SLA forces reportedly expelled three Lebanese citizens from the village of Bint Jubayl. The SLA also expelled two Lebanese women and four children from the Shab'a village on July 16.

Section 2. respect for civil liberties, including:

a. Freedom of speech and press

The Constitution provides for freedom of the press, but the Government partially limits this right in practice, particularly by intimidating journalists and broadcasters into practicing self-censorship. In 1998 the Government rescinded a total ban on satellite news but continued to ban live satellite broadcasts of political talk shows and to censor television broadcasts on a case-by-case basis.

Lebanon has a long history of freedom of opinion, speech, and the press. Although there were repeated attempts to restrict these freedoms during the year, daily criticism of government policies and leaders continued. Dozens of newspapers and hundreds of periodicals are published throughout the country, financed by various local and foreign groups. While the press is normally independent, press content often reflects the opinions of these financial backers.

The Government has several tools at its disposal to control freedom of expression. The Surete Generale is authorized to approve all foreign magazines and nonperiodical works including plays, books, and films before they are 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 court empowered to try such matters.

Moreover, the 1991 security agreement between Lebanon and Syria contains 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, Lebanese journalists censor themselves on matters related to Syria.

During the year, the Government did not bring charges against any newspaper. President Lahoud publicly announced that under his tenure no charges would be brought against any journalist because of his writings or opinions. However, the Minister of Information banned a book entitled "From Israel to Damascus," authored by Robert Hatem, who made detailed allegations about a former minister and ex-militia figure's activities during and after the civil war years.

In early October at a Greenpeace demonstration in the town of Selaata, LAF soldiers fired shots over the heads of the protesters and beat them with their rifle butts. Journalists' cameras and film were confiscated. President Lahoud criticized the soldiers' behavior and called for an investigation. Those soldiers responsible for the abuse were reprimanded officially by their superiors (see Sections 1.d. and 2.b.).

A court hearing still is pending in the case of An-Nahar journalist Pierre Attallah, who was charged in absentia in June 1998 for defaming the judiciary and entering Israel.

In September Marcel Khalife, a leading singer and songwriter, was accused with insulting Islam for incorporating lines from a poem based on verses from the Koran into a song he recorded in 1995. An indictment was issued charging the singer with blasphemy. Most political and religious leaders, with the exception of the Sunni Mufti, criticized this action. Khalife was acquitted of the charges on December 15.

In October the Surete Generale informed Lebanese filmmaker Ronda Shahal Sabbag that 47 minutes would have to be cut from her 90-minute film, "Civilisees," in order to gain government approval for screening to general audiences. The Government claimed that the offending passages contained inappropriate language and scenes that the censors deemed "inflammatory" against Jesus, the Virgin Mary, and Islam.

The country has a strong tradition of academic freedom and a flourishing private educational system (a result of inadequate public schools and a preference for religious community affiliation). Students exercise the right to form campus associations, and the Government usually does not interfere with student groups.

b. Freedom of Peaceful Assembly and Association

Although the Constitution provides for freedom of assembly, the Government restricts this right. Any group that wishes to organize a rally must obtain the prior approval of the Interior Ministry, which does not render decisions consistently. In December 1998, the Government lifted its long-standing decree banning all demonstrations. Various political factions such as Amal, Hizballah, 'Awnists, and supporters of former Prime Minister Hariri held several rallies.

On March 14, students from the "National Free Current," a group that supports exiled General Michel 'Awn, distributed antigovernment and anti-Syria leaflets. The authorities arrested 21 students and transported them to LAF interrogation centers. The 21 were released shortly thereafter, but two were referred to the military tribunal and charged with resisting the security forces. The military later considered the charge a civil offense and dropped the charges.

In early October, at a Greenpeace demonstration in the town of Selaata, LAF soldiers fired shots over the heads of soldiers and beat them with rifle butts. President Lahoud criticized the soldiers' behavior and called for an investigation (see Sections 1.d. and 2.a.).

The Constitution provides for freedom of association, and the Government generally respects this right and does not interfere with the establishment of private organizations; however, the law requires organizations to obtain from the Ministry of Interior a receipt, which is essentially a permit, and may be withheld by the Ministry.

The Ministry of Interior scrutinizes requests to establish political movements or parties and to some extent monitors their activities. The army Intelligence Service monitors the movements and activities of members of opposition groups (see Section 1.f.).

Neither Israel nor Syria allows groups considered openly hostile to operate in areas under their control.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. The State is required to ensure the free exercise of all religious rites with the caveat that public order not be disturbed. The Constitution also provides that the personal status and religious interests of the population be respected. The Government permits recognized religions to exercise authority over matters pertaining to personal status such as marriage, divorce, and inheritance. There is no state religion; however, politics are based on the principle of religious representation, which has been applied to every conceivable aspect of public life.

A group that seeks official recognition must submit its dogma and moral principles for government review to ensure that they do not contradict popular values and the Constitution. The group must ensure that the number of its adherents is sufficient to secure 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 religion's codes to personal status matters. The Government requires religious affiliation to be encoded on national identity cards.

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

Repatriation.

The Constitution provides for these rights, and the Government generally respects them in practice; however, there are some limitations. Travel to Israel is prohibited by law but commonly occurs via Israeli-occupied territory in southern Lebanon. All males 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. Husbands can block travel by their wives and minor children (see Section 5).

The LAF and Syrian troops maintain checkpoints in areas under their control. In south Lebanon, the Lebanese Army, the Israeli Army, and the SLA maintain tight restrictions on the movement of people and goods in and out of Israel's self-declared security zone. In June the SLA conducted a redeployment and withdrew from some villages in the district of Jezzine. The Internal Security Forces deployed to the region and assumed responsibility for maintaining law and order in Jezzine. Citizens who wish to visit Jezzine are required to obtain a permit from army intelligence.

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

Most non-Lebanese refugees are Palestinians. The U.N. Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in Lebanon registered with the UNRWA as of June was 370,144. This figure, which includes only the families of refugees who arrived in 1948, is presumed to include many thousands who reside outside the country. Most experts estimate the actual number now in Lebanon to be fewer than 300,000.

The Government issues laissez-passers (travel documents) to Palestinian refugees to enable them to travel and work abroad. In January the Government eased the tight travel restrictions that it previously had imposed on Palestinians resident in Lebanon and those entering from other countries by revoking a decision that had required all Palestinian refugees who hold Lebanese travel documents to obtain entry and exit visas when entering or leaving the country. However, in March the Government decided to stop issuing visitors' visas to Jordanian nationals who were born in Lebanon and are of Palestinian origin.

There are no legal provisions for granting asylum or refugee status in accordance with the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The Government does not grant first asylum; however, the Government grants admission and temporary (6 months) refuge to asylum seekers, but not permanent asylum. There are nearly 3,600 non-Palestinian refugees (mostly Iraqi Shi'a and Kurds) residing in Lebanon according to the U.N. High Commission for Refugees (UNHCR). There have been no known requests for asylum since 1975. The government cooperates with the offices of the UNHCR and the UNRWA. There were credible reports of the forced deportation of Iraqi refugees. The Surete Generale turned over the refugees to the Syrian authorities, who returned them to northern Iraq.

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

The Constitution states that citizens have the right to change their government in periodic free and fair elections; however, lack of government control over parts of the country,

defects in the electoral process, and strong Syrian influence over Lebanese politics and decisionmakers significantly restrict this right. The 1996 parliamentary elections represented a step forward, but the electoral process was flawed by serious shortcomings, because the elections were not prepared or carried out impartially. Government officials acknowledged some of the electoral shortcomings and pledged to correct them in future elections.

According to the Constitution, elections for the Parliament must be held every 4 years. The Parliament, in turn, 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 is a Maronite Christian, the Prime Minister a Sunni Muslim, and the Speaker a Shi'a Muslim. Since the National Reconciliation Agreement reached in Taif, Saudi Arabia in 1989, which revised the 6 to 5 ratio of Christian to Muslim seats in Parliament, there has been a 50-50 balance between Christian and Muslim Members of Parliament. The Taif Accord also increased the number of seats in Parliament, and transferred some powers from the Maronite President to the Sunni Prime Minister and the religiously mixed Cabinet.

In May and June 1998, the Government held the first elections at the local level since 1963. The elections were reasonably free and fair, and citizens were able to choose their own representatives at the local level. By-elections were held in May for those localities in which elections were not conducted in 1998.

In October 1998, the Parliament elected a new President after amending the Constitution on a one-time basis to permit senior government officials, including the (then) commander of the army, to run for office. (The Constitution prohibits senior government officials from running for president unless they resign at least 2 years before the election. The amendment provided for a one-time exception to this provision.) There was substantial criticism of the Syrian role in influencing Lebanese political leaders in the selection of the presidential candidate; however, there was broad popular support for the new President, Emile Lahoud, who took office in November 1998.

Women have the right to vote and there are no legal barriers to their participation in politics, although there are significant cultural barriers. Women are underrepresented in government and politics. No woman has ever held a cabinet position. Three women were elected to the 128-seat Parliament in 1996.

Palestinian refugees have no political rights. An estimated 17 Palestinian factions operate in Lebanon, generally organized around prominent individuals. Most Palestinians live in refugee camps controlled by one or more factions. The leaders of the refugees are not elected, but there are "popular committees" that meet regularly with the UNRWA and other visitors.

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

Several local human rights groups operate 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. Some of these groups have sought to publicize the detention in Syria of hundreds of Lebanese citizens, and took credit in part for the release of a number of Lebanese from Syrian jails during 1998 (see Section 1.d). The Bar Association and other private organizations regularly hold public events that include discussion of human rights issues. Some human rights groups have reported harassment and intimidation by government, Syrian, and militia forces.

During the year, the Government was more willing than in the past to discuss human rights problems with foreign governments and NGO's. The Government has facilitated visits to the country by Amnesty International representatives to report on Israeli activities

in south Lebanon. The Government permitted a Canadian NGO to provide books and other related materials to prisoners at the Roumieh detention facility (see Section 1.c).

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

The Constitution calls for "social justice and equality of duties and rights among all citizens without prejudice or favoritism." In practice aspects of the law and traditional mores discriminate against women. Religious discrimination is built into the political system. During 1997 the Parliament approved a law giving preferences to the disabled for employment in government positions. Discrimination based on race, language, or social status is illegal and is not widespread among citizens; however, foreign domestic servants often are mistreated.

Women

Violence against women is a problem. The press reports cases of rape with increasing frequency, and cases reported are thought to be only a fraction of the actual number. There are no authoritative statistics on the extent of spousal abuse. Most experts agree that the problem affects a significant portion of the female population. In general battered or abused women do not talk about their suffering for fear of bringing shame upon their own families or accusations of misbehavior upon themselves. Doctors and social workers believe that most abused women do not seek medical help. The Government has no separate program to provide medical assistance to battered women. It provides legal assistance to victims of crimes who cannot afford it regardless of the gender of the victim. The Lebanese Association for Combating Violence Against Women, founded in 1994, has been active in lobbying to improve the socioeconomic condition of women and to reduce violence against women.

Foreign domestic servants often are mistreated, abused, and even raped. Asian and African female workers have no legal recourse available to them because of their low status and isolation from society (see Section 6.e.).

The legal system is discriminatory in its handling of "crimes of honor." 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. However, beginning in 1991, the Government began to increase sentences on violent crimes in general and to seek punishment for men who commit crimes of honor. Instances of honor crimes are reported in the media.

Women have employment opportunities in government, medicine, law, academia, the arts, and to a lesser degree, business. However, social pressure against women pursuing careers is strong in some parts of society. Men sometimes exercise considerable control over female relatives, restricting their activities outside the home or their contact with friends and relatives. Women may own property but often cede control of it to male relatives for cultural reasons. In 1994 the Parliament removed a legal stipulation that a woman must obtain her husband's approval to open a business or engage in a trade. Husbands may block foreign travel by their wives (see Section 2.d.). The testimony of a woman is equal to that of a man (see Section 1.e.).

Only men may confer citizenship on their spouses and children. Accordingly, children born to Lebanese mothers and foreign fathers are not eligible for Lebanese citizenship. Lebanese widows may confer citizenship on their minor children.

Religious groups administer their own family and personal status laws. There are 18 recognized religious groups, each of which differs in its treatment of marriage, family property rights, and inheritance. Many of these laws discriminate against women. For example, Sunni inheritance law gives a son twice the share 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 of Lebanon are recognized by the State. Marriages may be performed only by religious authorities.

Children

The plight of children remains a serious concern; however, the Government has not allocated funds to protect them. Education is not compulsory and illiteracy rates have reached 37.5 percent. Many children, particularly in rural areas, take jobs at a young age to help support their families. In lower income families, boys generally receive more education, while girls usually remain at home to perform housework.

An undetermined number of children are neglected, abused, exploited, and even sold to adoption agents. Poor children often are compelled by their parents to seek employment, and often take jobs that put their safety at risk, including in industry, car mechanic shops, and carpentry. Because of their age, wages earned by these children are not in conformity with labor regulations. There are hundreds of abandoned children in the streets nationwide, some of whom survive by begging, others by working at low wages. The Government does not have a child protection law to remove children from abusive situations, nor do the NGO's have adequate legislative authority to litigate on behalf of minor children who are victims of abuse.

Juvenile delinquency is on the rise; many delinquents wait in ordinary prisons for trial and remain there after sentencing. Although their number is very small, there is no adequate place to hold delinquent girls; therefore, they are held in the women's prison in Ba'abda. Limited financial resources have hindered efforts to build adequate facilities to rehabilitate delinquents. A prominent private citizen has agreed to provide land in Junieh to build a juvenile center for girls, and work is under way. There is also a project to build a modern juvenile detention facility in Ba'asir. The Government provided a 161,000 square foot plot and is working with U.N. agencies to arrange for financial assistance and expertise to construct the facility.

There are neither child welfare programs nor government institutions to oversee the implementation of children's programs. The Committee for Children's Rights, formed in 1993 by prominent politicians and private citizens, has been lobbying for legislation to improve the condition of children. The Ministry of Health requires the establishment of health records for every child up to 18 years of age.

People with Disabilities

Over 100,000 persons sustained disabilities during the civil war. Care of the disabled generally is performed by families. Most efforts to secure education, independence, health, and shelter for the disabled are made by some 100 private organizations for the disabled. These organizations are relatively active, although poorly funded.

The heavily damaged cities make few accommodations for the disabled. Building codes have no requirements for ease of access, although the Government in its rebuilding projects has constructed sidewalks in some parts of Beirut allowing access for the disabled. The private "Solidere" project for the reconstruction of downtown Beirut has self-imposed requirements for disabled access. This project is widely considered a model for future construction efforts around the country.

Religious Minorities

Discrimination based on religion is built into the system of government (see Section 3). The amended Constitution of 1990 embraces the principle of abolishing religious affiliation as a criterion for filling government positions, but few practical steps have been taken to accomplish this aim. One notable exception is the Lebanese Armed Forces,

which, through universal conscription and an emphasis on professionalism, has reduced significantly the role of religious sectarianism in that organization. Each religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance.

On October 3, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb (see Section 1.a.).

National/Racial/Ethnic Minorities

According to the United Nations, an estimated 370,000 Palestinian refugees are registered in Lebanon (see Section 2.d.). Most Palestinian refugees live in overpopulated camps that have suffered repeated heavy damage as a result of fighting. The Government generally has prohibited the construction of permanent structures in the camps on the grounds that such construction encourages the notion of permanent refugee settlement in Lebanon. Refugees fear that in the future the Government may reduce the size of the camps or eliminate them completely.

The Government officially ended its practice of denying work permits to Palestinians in 1991. However, in practice very few Palestinians receive work permits, and those who find work usually are directed into unskilled occupations. They and 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 for political, cultural, and economic reasons it is applied in a manner disadvantageous to Palestinians and, to a lesser extent, Kurds. The Government does not provide health services to Palestinian refugees, who rely on the UNRWA and UNRWA-contracted hospitals.

In recent years, Palestinian incomes have declined as the PLO closed many of its offices in Lebanon, which formerly employed as much as 50 percent of the Palestinian work force. Palestinian children reportedly have been forced to leave school at an early age because U.N. relief workers do not have sufficient funds for education programs. The U.N. estimates that 18 percent of street children are Palestinian. Drug addiction and crime reportedly are increasing in the camps, as is prostitution, although reliable statistics are not available. In August the Fatah faction of the PLO expanded its operations in the Ein Al-Hilweh refugee camp by opening security offices and hiring personnel to maintain order in the camps.

Section 6. Worker Rights

a. The Right of Association

All workers, except government employees, may establish and join unions and have a legal right to strike. Worker representatives must be chosen from those employed within the bargaining unit. About 900,000 persons form the active labor force, 42 percent of whom are members of 160 labor unions and associations. Twenty-two of the unions, with about 200,000 workers, are represented in the General Confederation of Labor (GLC).

In general the Government does not control or restrict unions, although union leaders allege credibly that the Government has tried, in the past, to interfere in elections for union officials.

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

Unions are free to affiliate with international federations and confederations, and they maintain 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 engage in some form of collective bargaining with their employers. Stronger federations obtain significant gains for their members and on occasion have assisted nonunionized workers. There is no government mechanism to promote voluntary labor-management negotiations, and workers have no protection against antiunion discrimination. The Government's ban on demonstrations (see Section 2.b.) arguable diminishes unions' bargaining power.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

Forced labor is not prohibited by law. In the absence of a prohibition against it, children (see Section 5), foreign domestic servants, and other foreign workers (see Section 6.e) sometimes are forced to remain in situations amounting to coerced or bonded labor.

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

The 1946 Labor Code stipulates that workers between the ages of 8 and 16 may not work more than 7 hours a day, with 1 hour for rest provided after 4 hours. In 1996 the Ministry of Labor amended this law to define workers under the age of 13 as child labor, in accordance with international obligations. Children also are prohibited from working between the hours of 7 p.m. and 6 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 Labor Ministry is responsible for enforcing these requirements, but the Ministry does not rigorously apply the law. Forced and bonded child labor is not prohibited and sometimes occurs (see Section 6.c.).

Children between the ages of 10 and 14 constitute 0.6 percent of the labor force (5,936 children in total), according to the latest official figures. Most of these child laborers are Lebanese, but some are Syrian; they work predominantly in the industrial, craft, and metallurgical sectors. According to a U.N. Children's Fund (UNICEF) study, 60 percent of working children are below 13 years of age and 75 percent earn wages below two-thirds of the minimum wage. Nearly 40 percent of working children work 10 to 14 hours per day, and few receive social welfare benefits. In addition, approximately 52,000 children between the ages of 15 and 19 are in the active labor force; they are not eligible for minimum wages until they reach the age of 21.

e. Acceptable Conditions of Work

The Government sets a legal minimum wage, currently about \$200 (300,000 Lebanese pounds) per month. The law is not enforced effectively in the private sector. In theory the courts could be called upon to enforce it, but in practice they are not. The minimum wage is insufficient to provide a decent standard of living for a worker and family. Trade unions actively attempt 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 work an average of 35 hours a week and workers in other sectors work an average of 30 hours a week. Foreign domestic servants, mostly of Asian and African origin, often are mistreated, abused, and raped. The employment contract for a foreign worker is signed by a recruitment agency and the employer; workers rarely are a party to the contract or, if they are a party, do not know what the contract stipulates because it is written in Arabic. The passports of foreign domestic workers are confiscated by the recruitment agency or their employer when the workers arrive at the airport. Foreign domestic servants are not protected by labor laws. Domestic servants work almost 18 hours per day and, in most cases, do not receive time off for vacations or holidays. There is no minimum wage for domestic servants; their

average wage is about \$100 (150,000 Lebanese pounds) per month. They have no entitlement to government financial assistance. Many workers leave their jobs--which is not against the law--but their employers often report them as thieves to the police in order to locate them and force them to return. For example, Nina Nilani Moutagala, a Sri Lankan national, reportedly chose to flee her employer's household when the opportunity arose because she had been abused and not paid her salary. She then was accused by her employer of theft. She was tried and acquitted on the grounds that she could not have left the house carrying 3 rugs, 6 vases, 4 paintings, 6 crystal chandeliers, and 20 ashtrays, as claimed by her employer. Nonetheless, Nilani spent 3 months in prison.

The law includes specific occupational health and safety regulations. Labor regulations call on employers to take adequate precautions for employee safety. Enforcement, the responsibility of the Ministry of Labor, is uneven. Labor organizers report that workers do not have the right to remove themselves from hazardous conditions without jeopardizing their continued employment.

f. Trafficking in Persons The law does not prohibit specifically trafficking in persons; however, 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." If forced prostitution or forced rendering of sexual services occurs as a result of the abduction, the Penal Code stipulates that the abductor be sentenced to at least 1 year in prison. There were no reports that persons were trafficked in, to, or from the country.

[end of document]

[Near East and North Africa Index](#) | [Table of Contents](#) | [1999 Report Homepage](#) | [Human Rights Reports Index](#)