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2020 Trafficking in Persons Report: Lebanon

LEBANON: Tier 2

The Government of Lebanon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Lebanon remained on Tier 2. These efforts included convicting more traffickers and referring more trafficking victims to NGO protection services than in the previous reporting period. The government also waived overstay fines for at least 1,000 foreign domestic workers—a population highly vulnerable to trafficking—to allow them to return home. The government continued its longstanding partnerships with NGOs, including through improved cooperation to screen for potential victims in a government-run migrant detention center, and it made modest progress to prevent trafficking. However, the government did not meet the minimum standards in several key areas. The government reported fewer investigations and prosecutions of alleged traffickers, and it identified fewer trafficking victims in comparison to the previous reporting period. The government did not implement formal victim identification and referral procedures, which resulted in the potential for some victims to face arrest, detention, or deportation for unlawful acts traffickers compelled them to commit. Lebanon's sponsorship system, which placed a significant amount of power in the hands of employers of foreign workers, continued to create vulnerabilities for the exploitation of migrant workers and remained a significant impediment to authorities identifying and protecting trafficking victims. In addition, despite the government's efforts to relieve domestic workers of overstay fines, it did not report proactively screening for trafficking among this vulnerable population.

PRIORITIZED RECOMMENDATIONS:

Develop and implement government-approved procedures for officials to identify trafficking victims among vulnerable populations, such as illegal or detained migrants, women holding *artiste* visas, domestic workers, and Syrian refugees, for referral to protection services. • Increase efforts to ensure trafficking victims are not arrested, detained, or deported for unlawful acts traffickers compelled them to commit, such as immigration or prostitution violations. • Strengthen and expand efforts to reform the sponsorship system to ensure all foreign workers, including domestic workers and *artiste* visa holders, are not bound to abusive employers, and allow workers full freedom of movement. • Increase prosecutions and convictions of offenders of all forms of trafficking under the anti-trafficking law, and investigate for potential trafficking crimes employers and recruitment agents who withhold workers' passports, travel documents, or wages. • Increase efforts to train judges, prosecutors, law enforcement officials, and diplomatic personnel about the crime of trafficking and application of the anti-trafficking law. • Screen all detained domestic workers in detention centers for potential trafficking victims and refer victims to care. • Take concrete steps to establish greater oversight over *artiste* visas, a program that contributes to the vulnerability of women to sex trafficking. • Ensure the judiciary coordinates with the Directorate of General Security (DGS) to consistently apply Lebanon's anti-trafficking law by granting temporary residency permits for trafficking victims and allowing victims to work. • Continue to work in partnership with NGOs to screen for, identify, and provide protection services, including witness support during criminal proceedings, for all victims. • Enact the labor law amendment extending legal protections to all foreign workers, including domestic workers and *artiste* visa holders. • Formally establish the victim assistance fund. • Adopt and implement the draft national anti-trafficking action plan. • Improve the judiciary's capacity to collect, compile, and track data and outcomes of trafficking cases from all courts.

PROSECUTION

The government demonstrated mixed law enforcement efforts. The 2011 anti-trafficking law criminalized sex trafficking and labor trafficking and prescribed penalties of five to seven years' imprisonment and fines if the offense involved an adult victim, and 10 to 12 years' imprisonment and fines for those involving a child victim. These penalties were sufficiently stringent and, with

respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The government did not have a law that prohibited or penalized confiscation of workers' passports or travel documents by employers or labor agents.

During the reporting period, the Internal Security Forces (ISF) investigated 32 suspected cases of sex trafficking and child trafficking, involving at least 12 victims. Additionally, the DGS investigated 159 suspected cases of trafficking involving migrant domestic workers and women holding *artiste* visas. The DGS reported that 84 of the 159 cases resulted in the following outcomes: referral to judicial or law enforcement authorities for further investigation, payment of back wages to workers, repatriation of migrant workers, and denying or restricting employers and sponsors from hiring migrant workers, including domestic workers. The 191 total investigations in 2019 represented a decrease from the 212 investigations initiated during the previous reporting period. Although the Ministry of Justice (MOJ) reported limitations and challenges in collecting country-wide data, it reported the government prosecuted a total of 46 alleged traffickers involved in 11 cases of sex trafficking and 10 cases of forced child begging during the reporting period. The government did not, however, report prosecuting any perpetrators of forced labor of adults, including domestic servitude, despite reports of the prevalence of the problem in the country. The government also convicted 22 total traffickers, 15 of which were for sex trafficking crimes and seven were for forcing children to beg; sentences for convicted traffickers ranged from three to 15 years' imprisonment. This judicial data demonstrated a decrease in prosecutions but an increase in convictions in comparison to the previous reporting period, when the government prosecuted 69 alleged traffickers and convicted and sentenced four traffickers (three involving forced child begging and one involving sex trafficking), who received sentences that ranged from three to 15 years' imprisonment. The government did not report investigations, prosecutions, or convictions of government officials complicit in human trafficking offenses during the reporting period; however, NGOs continued to report a common perception that DGS officers allegedly accepted bribes to protect adult nightclubs or issue *artiste* visas—a visa program that sustained a significant commercial sex industry in Lebanon and enabled sex trafficking.

The ISF anti-trafficking unit remained understaffed and underfunded, with only 23 officers covering Lebanon and no field offices outside of Beirut; this continued to limit the ISF's work and ability to recruit and train new officers for the unit. Additionally, government officials and NGOs continued to report that some judges lacked understanding of the anti-trafficking law and knowledge of best practices for handling trafficking cases. Officials generally sought to resolve trafficking cases involving foreign workers through mediation between the employer and worker, rather than referring them for criminal prosecution. Government officials continued to report security forces were reluctant to arrest parents for subjecting their children to trafficking, usually in forced begging, due to a lack of social services available should the child be removed from the family. The ISF, DGS, and MOJ continued to occasionally include specialized anti-trafficking training as a part of their curriculum for personnel. The government also continued to encourage officials to participate in anti-trafficking trainings provided by NGOs.

PROTECTION

The government demonstrated uneven victim identification and protection efforts. The government did not formally adopt draft procedures for the identification and referral of victims to NGO services; in practice, officials continued to identify and refer trafficking victims to care on an ad hoc basis. The ISF, DGS, and Ministry of Labor (MOL) identified a total of 63 victims and referred 56 of them to NGO protection services during the reporting period. The MOJ also reported 34 victims were involved in prosecutions initiated in 2019. The number of victims identified in 2019 represented a substantial decrease from the 149 victims the government identified in 2018. However, the government increased the total number of victims it referred to protection services in 2019 to 56, compared with 32 victims referred in 2018. In addition, the government reported a DGS-operated hotline received 23 calls, two of which involved women holding *artiste* visas—a visa program that was inherently exploitative. One of the women reported the owner of a nightclub physically abused her, and the DGS responded by issuing a warning to the owner. Another woman reported a nightclub customer raped her, to which the DGS responded by issuing an arrest warrant against the perpetrator; following the complaint, the victim chose to repatriate. Through the MOL's complaints office and 24-hour hotline, it received 107 complaints from foreign domestic workers, some of whom may have been trafficking victims; the MOL reported it resolved the majority of the cases but did not provide additional details.

The government did not directly provide protection services to trafficking victims but continued to work in partnership with NGOs to provide essential victim services. NGO-run victim care facilities in Lebanon were dedicated only to female and child victims of trafficking; there were no services available or government resources dedicated to male trafficking victims, even though trafficking of men in the construction sector reportedly continued. Pursuant to a longstanding memorandum of understanding, renewed during the reporting period, between the government and an NGO, the DGS referred female victims to an NGO-run safe house and provided security for the location; victims were not allowed to work while receiving assistance at the safe house. In 2019, the safe

house assisted 294 trafficking victims. The Ministry of Social Affairs (MOSA) also continued to coordinate and fund the provision of protection services to child trafficking victims through contractual agreements with NGOs. In December 2019, the DGS reported that—as part of an amnesty program—it waived overstay fines and provided plane tickets for an unspecified number of migrant workers, some of whom the DGS identified as trafficking victims. An NGO further reported the DGS provided these exemptions and services to 1,000 Filipina domestic workers, some of whom may have been trafficking victims. During the reporting period, MOSA coordinated with an international organization to provide technical support for the development of a law to create a victim assistance fund; the law remained in draft form at the end of the reporting period. The government did not adopt the draft labor law amendment extending legal protections to foreign workers, nor the draft law to increase labor protections for domestic workers.

The government continued to arrest, detain, and/or deport unidentified victims for unlawful acts traffickers compelled them to commit, such as domestic workers who fled abusive employers, out-of-status or irregular migrant workers, women holding *artiste* visas, and persons in commercial sex. Under Lebanon's sponsorship system, foreign workers—including foreign trafficking victims—who left their place of employment without permission from their employer forfeited their legal status, thereby increasing the risk of arrest, detention, and deportation. Foreign workers without valid residence and work permits were subject to detention for one to two months—or longer in some instances—followed by deportation. Furthermore, women holding *artiste* visas were subject to immediate deportation upon arrest for prostitution violations; however, DGS reported it did not deport any *artiste* visa holders during the reporting period and instead repatriated 29 following investigations. The DGS continued to operate a 750-person detention center where authorities detained foreign domestic workers for violating the terms of their work contracts or visas. For the last several years, the DGS has allowed an NGO to operate a permanent office inside the detention center that allowed staff unhindered access to detainees to provide medical and psycho-social services. However, due to a decrease in funding to the NGO during the reporting period, the NGO was unable to continue providing health services to detainees—including trafficking victims—and was only able to provide social and legal services. The DGS also continued to permit the NGO to interview detainees to identify trafficking victims among the detention center population; it identified 49 trafficking victims in the detention center in 2019, which was an increase from the 25 victims it identified in 2018. The NGO continued to report an increased level of professionalism, sensitivity, and awareness among DGS officials and investigators, which allowed the NGO to more effectively identify victims among detainees.

Victims were able to file civil suits to obtain compensation. Victims also were allowed to reside in Lebanon during an investigation of a trafficking case upon a judge's decision, but the government did not report if any judges issued such a decision during the reporting period. NGOs continued to report that foreign victims preferred quick administrative settlements followed by repatriation rather than long criminal prosecutions because of the lack of protection services or resettlement options during the criminal proceedings. Therefore, authorities faced challenges pursuing potential cases of trafficking when victims chose voluntary repatriation rather than facing an often-lengthy trial process because they were not present in the country to testify against their traffickers. The government did not provide temporary or permanent residency status or other relief from deportation for foreign trafficking victims who faced retribution or hardship in the countries to which they would be deported.

PREVENTION

The government demonstrated modest progress in its efforts to prevent trafficking. The national anti-trafficking steering committee continued to coordinate anti-trafficking efforts during the reporting period. The government did not adopt its draft national anti-trafficking action plan, but relevant ministries continued to implement portions of the plan. In July 2019, the Minister of Justice launched a public call-for-action campaign—in cooperation with a local NGO—that targeted policymakers and the general public to raise awareness about human trafficking and to advocate for amendments to the anti-trafficking law. The DGS and the MOL continued to operate hotlines to receive reports of abuse and migrant worker complaints, including suspected trafficking crimes. The DGS continued a program to inform *artiste* visa holders about restrictions and obligations of their visa status upon arrival to Beirut International Airport. Under the program, if the visa holder objected to the visa's terms, she was free to return to her home country; the DGS reported that 14 women who entered the country on an *artiste* visa chose to return to their home countries during the reporting period. Under a directive from the DGS, airport officers continued to return passports directly to foreign domestic workers upon their arrival in Lebanon; however, NGOs reported that many employers ultimately confiscated workers' passports in private.

During the reporting period, the former Minister of Labor established a working group focused on reforming the sponsorship system, in coordination with an international organization. In parallel, the MOL also commenced work on a complaint mechanism for migrant domestic workers and procedures for referral services for the MOL's complaint hotline; however, the initiatives remained pending at the end of the reporting period. Additionally, in March 2020, the MOL completed a draft

standardized work contract—in coordination with an international organization—for migrant domestic workers; the contract was undergoing final review at the end of the reporting period. In 2019, the MOL closed 15 recruitment agencies for labor violations or complaints of mistreating migrant domestic workers; it also maintained a blacklist of an unknown number of recruitment agencies for committing fraudulent recruitment practices. The government, however, did not report prosecuting any recruitment or employment agencies for potential trafficking crimes during the reporting period. The government did not take steps to reduce the demand for commercial sex acts or address child sex tourism by Lebanese nationals abroad. The government did not provide anti-trafficking training for its diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Lebanon, and traffickers exploit victims from Lebanon abroad. Women and girls from South and Southeast Asia and an increasing number from East and West Africa are subjected to domestic servitude in Lebanon. According to an international organization in 2019, there were 250,000 migrant domestic workers in Lebanon. Lebanese government officials and NGOs report most employers withhold their domestic workers’ passports, and some employers also withhold workers’ wages, force them to work excessive hours without rest days, restrict their freedom of movement, and physically or sexually abuse them; NGOs, however, report that abuse of domestic workers is typically underreported. Many migrant workers arrive in Lebanon through legal employment agencies, but are subsequently exploited or abused by their employers; some employment agencies recruit workers through fraudulent or false job offers. Women primarily from Russia, Ukraine, Belarus, Moldova, Morocco, and Tunisia legally enter Lebanon to work as dancers in nightclubs through Lebanon’s *artiste* visa program, which is valid for three months and can be renewed once. The terms of the *artiste* visa prohibit foreign women working in these nightclubs to leave the hotel where they reside, except to work in the nightclubs that sponsor them, and nightclub owners withhold the women’s passports and wages and control their movement; traffickers also exploit these women through physical and sexual abuse and domestic servitude. The government reported 3,376 women entered Lebanon under this program in 2019, which was an increase from the 3,105 *artiste* visa holders who entered Lebanon in 2018.

Men, women, and children among the estimated 1.2 million Syrian refugees in Lebanon are at high risk of sex trafficking and forced labor. Restrictions on Syrians’ ability to work legally in Lebanon and the enforcement of visa and residence permit laws increase this population’s vulnerability to trafficking. Syrians are commonly involved in the exploitation of other Syrians in Lebanon, particularly targeting refugees fleeing the conflict. For example, Syrian traffickers hold Syrian refugee men, women, and children in bonded labor to pay for food, shelter, and the cost of transit to Lebanon, and contract out groups of refugees to work in the agricultural sector in the Bekaa Valley. Similarly, an international organization reports evidence of bonded labor within refugee communities, where child labor is used in exchange for living in informal tented settlements. Child labor and forced child labor among the Syrian refugee population continues to increase, particularly in agriculture, construction, and street vending and begging. These children are at high risk for labor trafficking, especially on the streets of main urban areas such as Beirut and Tripoli, and in the agricultural sectors of Bekaa and Akkar; for example, in 2019, international organizations reported the presence of children working in illegal cannabis farms in the North Bekaa region. Furthermore, NGOs report that some Syrian refugee children are forced or coerced to conduct criminal activity. Syrian refugee LGBTI, women and girls, and some men are highly vulnerable to sex trafficking. Many women and girls who were recruited from Syria with false promises of work were subjected to commercial sexual exploitation in which they experienced mental, physical, and sexual abuse and forced abortions. Family members or powerful local families force some Syrian refugee women and girls into commercial sex acts or early marriage in order to ease economic hardships; these women and girls are highly vulnerable to trafficking.

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