

Lebanon (32)

258



[Print Friendly Version]

U.S. DEPARTMENT OF STATE

[Home](#) | [Contact Us](#) | [FOIA](#) | [Privacy Notice](#) | [Archive](#) | [Search](#)
[About the State Department](#) | [Press & Public Affairs](#) | [Travel & Living Abroad](#)
[Countries & Regions](#) | [International Topics & Issues](#) | [History, Education & Culture](#)
[Business Center](#) | [Other Services](#) | [Employment](#)

Lebanon

Country Reports on Human Rights Practices - 2001
 Released by the Bureau of Democracy, Human Rights, and Labor
 March 4, 2002


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. 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 parliamentary elections in 2000, 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 and the outcome was heavily influenced by the Syrian Government; however, there reportedly were fewer voting irregularities than in the 1996 parliamentary elections. The judiciary is independent in principle; however, in practice it is subject to political pressure.

Non-Lebanese military and paramilitary forces retain significant influence over much of the country. In 1989 the Arab League brokered a peace settlement at Taif, Saudi Arabia, to end the country's civil war. According to the Taif Accord, the Syrian and Lebanese Governments were to determine the redeployment of Syrian troops to specified areas of the Bq'a Valley, with full withdrawal contingent upon subsequent agreement by both governments. The Syrian Government has not carried out this partial redeployment and has prevented implementation of other political reforms stipulated by the Taif Accord. Strong Syrian influence over Lebanese politics and decision makers makes officials unwilling to press for further progress on fulfilling Taif agreements, including Syrian withdrawal. Since the Taif Accord was signed, no government has requested formally the withdrawal of Syrian forces. The Government's relationship with Syria does not reflect the will of most of the country's citizens.

In 1991 the Governments of Syria and Lebanon concluded a security agreement that provided a framework for security cooperation between their armed forces. Approximately 22,000 Syrian troops are stationed in locations throughout the country, excluding the south; during the year, some Syrian troops redeployed from positions in Beirut and Mount Lebanon to Syria and to more eastern positions in Lebanon. An undetermined number of Syrian military intelligence personnel in the country continue to conduct their activities independently of a 1991 security cooperation agreement between the governments of Syria and Lebanon.

Until May 2000, Israel exerted control in or near its self-proclaimed "security zone" in the south through direct military action and support for its surrogate, the South Lebanon Army (SLA). Prior to the Israeli withdrawal, 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 were locked in a cycle of attack and counterattack with Israeli and SLA troops. In May 2000, after 22 years of occupation, Israeli Defense Forces (IDF) troops withdrew from the south and West Bq'a, and the SLA disbanded. Following the withdrawal, the Government deployed more than 1,000 police and soldiers to the former security zone, and Hizballah guerrillas maintained observation posts and conducted patrols along the border with Israel. The United Nations Interim Forces in Lebanon (UNIFIL), which was established in 1978, also increased its area of operations following the Israeli withdrawal. The Government has not attempted to disarm Hizballah.

Palestinian groups operate autonomously in refugee camps throughout the country. Several armed Palestinian factions are located in the refugee camps, although their freedom of movement is restricted significantly. The Government has not attempted to assert state control over the Palestinian camps.

Hizballah, Palestinian groups, and the influence of the Syrian Government all undermined the authority of the central Government during the year and interfered with the application of law in those areas not completely under the Government's control.

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 "morals." The security forces committed serious human rights abuses.

The country of approximately 3-3.5 million has a market-based economy, in which the majority of the private sector work force is employed in the service sector such as banking and commerce. There is a small industrial

sector, based largely on clothing manufacturing and food processing. Following 2 years of recession, the economy is showing faint signs of recovery. Growth was estimated at between 0.5 and 1.5 percent during the year—compared to flat growth in 2000. The central bank maintained currency stability by intervening on the foreign exchange market to meet a strong dollar demand, thus placing a drain on its reserves. Inflation remained low, and was estimated at 1 percent. Per capita gross domestic product (GDP) was an estimated at \$5000 in 2000, and the unemployment rate was estimated at about 15 to 20. Approximately 30 percent of those unemployed are under age 26. Lebanon suffers from a crippling debt burden, which reached about \$28 billion by the end of the year, reaching approximately 172 percent of the GDP. The budget deficit reached 45.6 percent of expenditures, compared to 51 percent in 2000. Government deficit as a percentage of GDP is estimated to be about 24.8 percent.

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 significantly restricted by the lack of complete government control over parts of the country, shortcomings in the electoral system, and Syrian influence. The 2000 parliamentary elections were flawed and suffered from Syrian government influence. 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 were critical of government policies. During August army intelligence officers arrested more than 100 supporters of exiled General Michel 'Awn and the banned Lebanese Forces militia group. Lengthy pretrial detention and long delays in trials are problems, although a new Code of Criminal Procedure was enacted during the year in an attempt to address such issues. The courts are subject to political pressure. International observers have reported that the trials of former SLA personnel, which began in 2000 and continued during the year, were not free and fair. The Government infringed on citizens' privacy rights and continued surveillance of political activities during the year. The Government limited press freedom by continuing to harass, abuse, and detain journalists throughout the year, forcing other journalists to practice self-censorship. The Government continued to restrict radio and television broadcasting in a discriminatory manner. Journalists practice self-censorship. The Government continued to restrict freedom of assembly and imposed some limits on freedom of association. There are some restrictions on freedom of religion. The Government imposes 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 are problems.

After the IDF withdrawal in May 2000 and the subsequent collapse of the SLA, the cycle of violence in and around the former Israeli security zone decreased significantly. However, there continued to be a number of cross-border attacks by Hizballah and counter-attacks by Israeli forces. Palestinian groups in refugee camps maintain a separate, often arbitrary, system of justice for Palestinians living in the camps. Palestinians sometimes may appeal to Lebanese authorities for legal recourse, often through their agents in the camps.

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 reports of the arbitrary or unlawful deprivation of life committed by the Government or its agents during the year.

Four persons died in custody during 2000. In January 2000, a Sudanese asylum seeker, Abdallah Juma' Jarkum, died of malaria in Zahle prison. Prison officials reportedly did not offer him medical treatment before his death. An elderly SLA member died in custody in June 2000, allegedly because prison officials refused to provide him with his medicine, which was manufactured in Israel. In November 2000, one SLA detainee, Redwan Shakib Ibrahim, died of cancer and another SLA detainee, Barakat al'Amil, died of complications resulting from high blood pressure. The Military Court initiated an investigation into the deaths of two SLA detainees to determine whether or not they received proper medical treatment; however, its investigations were ongoing at year's end. Subsequent to the deaths of the SLA detainees, the Government announced that it would review the medical records of all SLA detainees to ensure that they receive proper treatment (see Section 1.c.). In a March statement, state prosecutor Adnan Addoum announced that Jarkum and Qarut died in prison of heart attacks, Qarut died in prison of a heart attack, Ibrahim died of an embolism after undergoing two surgical operations in an attempt to save his life, and al'Amil died of severe bleeding in the brain.

In December 1999, Sunni extremists killed four LAF soldiers in an ambush in the northern region of Dinniyeh after the soldiers attempted to arrest two Sunni Muslims allegedly involved in a series of church bombings. On December 31, 1999, the LAF retaliated by launching a massive military operation against Sunni insurgents in the north. Five civilians, 7 LAF soldiers, and 15 insurgents were killed in the operation (see Section 1.c., 1.d., and 5).

The judicial system continued to suffer from a backlog of hearings into cases of deaths in custody, some as old as 6 years. Such cases sometimes involve individuals connected to political groups or accused of criminal activity.

There were no new developments in the case of the June 1999 killings of four judicial officials at a courthouse in Sidon. The perpetrators reportedly are members of the outlawed Palestinian group "Asbat al-Ansar;" however, government authorities did not arrest any of the suspected gunmen, who are believed to be hiding in the Palestinian refugee camp of Ain-Al Hilwah.

A military tribunal in 1999 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. The court also sentenced 13 other Lebanese Forces members to 7 years in prison. In January the military tribunal, on appeal, reduced the sentence for Captain Camille Yared to 7 years in prison and affirmed the sentences of the four Lebanese Forces militiamen.

On January 26, 2000, the Court of Cassation (Supreme Court) reaffirmed the 1998 verdict in the case of the 1976 killing of U.S. Ambassador Francis Meloy, Embassy officer Robert Waring, and their driver, Zohair Moghrabi. The Court upheld defendant Tawfiq Mohammad Farroukh's acquittal on the charge of murder and conviction for the lesser crime of kidnaping. The Court ruled that the verdict made Farroukh eligible for amnesty under the 1991 Amnesty Law.

The cycle of violence in and around the former Israeli controlled security zone decreased significantly following the IDF withdrawal in May 2000. However, there have been a number of violent cross-border incidents since the withdrawal.

On January 26, two members of the Popular Front for the Liberation of Palestine-General Command (PFLP-GC) were killed and a third wounded by Israeli forces near Bastara Farm in Lebanon, which borders Sheb'a Farms (part of the Israeli-occupied Golan Heights, which Lebanon claims as its territory). The Israeli army claimed that the victims were attempting to launch cross-border attacks.

In April Hizballah launched a guided missile attack on Sheb'a Farms, killing one Israeli soldier. For the first time in more than 10 years, Israel responded against a Syrian target in Lebanon, bombing a Syrian radar station in Mudayrej and killing three Syrian soldiers.

On June 29, Hizballah attacked Sheb'a Farms with mortar and rockets, wounding one Israeli soldier. On July 1, Israeli warplanes destroyed a Syrian army radar base in the Biqa' Valley, wounding three Syrian and one Lebanese soldier. Hizballah responded to the air raid by firing mortars against Israeli outposts in Sheb'a Farms and destroying an Israeli radar post in Jabal al-Shaykh. The Israeli Defense Forces responded with artillery shelling.

In October 1999, one person was killed when a bomb exploded in a Maronite church in Beirut (see Section 5).

There are approximately 380,000 landmines in the former security zone that had been occupied by Israel. UNIFIL statistics on recorded landmines in the former security zone indicate that 50,644 antipersonnel mines are located in 108 minefields along the Lebanon-Israel border. Since the Israeli withdrawal in May 2000, there have been 26 deaths and 167 injuries as a result of landmine accidents. Agence France-Press reports that 13 Lebanese civilians were killed and more than 70 were injured as a result of landmines and other explosive devices since May 2000.

b. Disappearance

There were no reports of politically motivated disappearances.

In 1999 the Government established a military commission to investigate the fate of those who disappeared during the civil war. In September 2000, the commission concluded that all persons who disappeared at least 4 years before the end of the civil war were dead. The Government endorsed the commission report and then Prime Minister Salim al-Hoss called on all families to "accept reality despite its bitterness."

However, in December 2000, following the release by the Syrian authorities of an estimated 149 Lebanese detainees from Syrian jails, including some who had been declared dead by the commission, the Government formed a new committee to reexamine the cases of those who had disappeared during the civil strife. The committee had received about 800 applications from family members by year's end. The committee was scheduled to issue a report to the Government on its findings; however, the Government granted it a 6-month extension to complete the report.

In October 2000, Hizballah guerillas kidnaped 3 Israeli soldiers on patrol in the Sheb'a Farms area of the Golan Heights, and demanded that the Israeli Government release Lebanese political detainees held in Israeli prisons in return for the soldiers' release. In October the Israeli Government announced that it believed the soldiers were dead. Hizballah made various demands for the release of other Arab prisoners, especially Palestinians, during the year.

Hizballah kidnaped IDF reservist Elhann Tannenbaum in Lebanon in October 2000. He was presumed to still be detained at year's end.

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. Violent abuse usually occurs during the preliminary investigations that are conducted at police stations or military installations, in which suspects are interrogated in the absence of an attorney. Such

abuse occurs despite laws that prevent judges from accepting any confession extracted under duress.

Methods of torture reportedly included beatings, applying electric shocks to the genitals, and suspension by arms tied behind the back.

On July 18, the Justice Minister publicly stated that "torture in Lebanese prisons is real, and mainly occurs during preliminary investigations." The Minister also added that the Government would adopt measures to eliminate the use of torture. No measures had been taken by year's end.

The Government initially held incommunicado most of the 3,000 SLA personnel who surrendered to authorities following the IDF's withdrawal from the south in May 2000; however, it subsequently allowed lawyers and family members to have access (see Section 1.d.). Some former SLA detainees reported that they were abused or tortured. Amnesty International and other human rights organizations reported that some detainees were beaten, handcuffed, blindfolded, and forced to lie face down on the ground.

In 1999 police officials allegedly tortured in detention a number of Sunni youths who were suspected of involvement in a series of church bombings (see Sections 1.a., 1.d. and 5).

On April 21, a supporter of Samir Ja'Ja' was injured badly during a raid by security forces on a sit-in that he and other Ja'Ja' supporters were holding (see Section 1.e.).

In August security forces arrested hundreds of supporters of exiled General Michel 'Awn, and detained the former political advisor of the disbanded Lebanese Forces, Samir Ja'ja (see Section 1.d.). Some of those arrested claimed that officers had mistreated them physically. They also alleged that they were psychologically tortured when authorities threatened their families.

Abuses occurred in areas outside of the State's authority, including in Palestinian refugee camps. There were reports during the year that members of the various groups who control the camps detained their Palestinian rivals (see Section 1.d.).

Prison conditions are poor and do not meet minimum international standards. The Ministry of Interior operates 18 prisons with a total capacity of 3,840 inmates. However, prisons are overcrowded, with a total population of approximately 7,230. Inmates lack heat, adequate toilet facilities, and proper medical care. The Government has not allocated funds for the reform of the prisons. In September the Beirut Bar Association organized a conference composed of local and international participants to underscore the need for local penal reform. The head of the Association described the country's prison facilities as "unfit for animals."

In May members of the Parliamentary Commission for Human Rights visited all prisons in the country with the exception of those controlled by the Ministry of Defense. The Interior Ministry denied the press permission to accompany the delegation. The Chairman of the Commission subsequently stated that "the health conditions of the prisoners are deplorable and require continuous care. We hope the women's prisons will be emptied and the prisoners transferred." He also indicated that of the 7,230 persons being held in prison, only 2,500 have been convicted.

Amnesty International issued a report in August on prison conditions for women. The report stated that women in pre-trial detention are routinely denied the protection of the law and held for long periods incommunicado. Many have been coerced to confess guilt or to testify against themselves. Amnesty International also reported that conditions in the four women's prisons "have serious shortcomings, including overcrowding, lack of hygiene and inadequate medical attention." Individual accounts contained in the report described physical and psychological torture by prison officials, including severe beating, threats, and the use of sexually abusive language. Amnesty International claimed that the safeguards contained in the Constitution and the laws against incommunicado detention, torture, and ill-treatment are insufficient and frequently are breached in practice. Amnesty International went on to report that when police, prosecutors, or judges are notified of violations, they fail to take sufficient actions against those responsible.

The Government made an effort to carry out rehabilitation for some inmates. Inmates at Roumieh prison participated in vocational activities, such as computer training courses, to provide them with skills upon release. In September 2000, 36 inmates in Roumieh prison received certificates of accomplishment following completion of a computer training program.

In May the Government concluded its investigation into the deaths in custody of three SLA detainees in 2000 (see Section 1.a.).

The Surete Generale, which is in charge of border posts, operates a detention facility. Hundreds of foreigners, mostly Egyptians and Sri Lankans, are detained there pending deportation. The Surete Generale opened a new detention facility during the year, which reportedly provides somewhat better conditions than the old facility.

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, is kept in solitary confinement in a prison in the basement of the Ministry of Defense. He is permitted minimal exercise and allowed only periodic visits from his family and lawyers. He is not allowed to read newspapers or listen to the radio. Government officials stated that his solitary confinement is necessary for his own protection. During the year, the Prosecutor General granted Ja'Ja' permission to receive *The Economist*, provided that all political content is removed.

Local journalists and human rights organizations were given access to certain prisons during the year. Access to prisons that are controlled by the Ministry of Defense was not permitted. Following the Israeli withdrawal from the south in 2000, the Government did not grant independent monitors access to former SLA soldiers in custody. In December 2000, government officials stated that International Committee of the Red Cross (ICRC) representatives would be allowed to visit all SLA detainees; however, this had not occurred by year's end.

Prior to the Israeli withdrawal from the south, Hizballah detained and reportedly mistreated SLA members and suspected agents at unknown locations. The SLA operated its own detention facility, al-Khiam prison, and there were frequent allegations of torture and mistreatment of detainees (see Section 1.d.).

Hizballah did not permit visits by human rights monitors to those persons in its custody. Before its May 2000 dissolution, the SLA allowed representatives of the ICRC and family members of inmates to visit detainees at al-Khiam prison.

d. Arbitrary Arrest, Detention, or Exile

The law requires security forces to obtain warrants before making arrests; however, the Government uses arbitrary arrest and detention. Military intelligence personnel make arrests without warrants in cases involving military personnel and those involving espionage, treason, weapons possession, and draft evasion (see Section 1.e.). The Parliamentary Commission for Human Rights stated in May that of the 7,230 persons being held in prison, only 2,500 have been convicted.

Under the former Code of Criminal Procedures, which was replaced by a new code in November, authorities could detain suspects for an unlimited period before referring them to an examining judge. Although the former Code permitted interrogation only by an examining judge, the police and prosecutor regularly interrogated suspects. Bail was not available in criminal cases. A new Code of Criminal Procedures was enacted by the Parliament in August, and entered into force in November. The new law provides greater 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, unless there were witnesses to the crime, in which case the suspect may not be held in custody more than 24 hours. The period may be extended to 48 hours with the concurrence of the public prosecutor's office. 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 new Code are not being observed in practice. Some police and members of the judiciary have claimed that they were not properly informed of the new provisions.

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 on many occasions has 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 protestors (see Section 2.b.). The Government also detained, interrogated, and beat journalists (see Section 2.a.).

In August security forces arrested, interrogated, and searched the homes of more than 100 citizens, predominately Christian supporters of exiled General Michel 'Awn, and jailed commander of the disbanded Lebanese Forces, Samir Ja'Ja'. Most of the arrests and searches took place without warrants, and those arrested claimed that they were not given access to lawyers. The authorities allegedly forced most of them to sign affidavits stating that they would abstain from politics and released them within 2 weeks after their arrests. Some were blindfolded and forced to sign the affidavits without reading them; some of those who refused were beaten until they submitted to signing. Retired General Nadim Lteif, Coordinator of the Awnist movement, and Tawfiq Hindi, former political advisor of Samir Ja'Ja', were among those arrested. At least 77 of those detained were referred to both military and civilian courts (see Section 1.e.). All but five of those arrested were released within weeks. Two persons were held until November 30, when they were released on bail; they face indictment for allegedly concealing information regarding collaboration with Israel. Three of those arrested remained in custody at year's end.

In 1999 police officials detained and allegedly tortured a number of Sunni youths for suspected involvement in church bombings; however, the youths later were released due to a lack of evidence (see Sections 1.a., 1.c., and 5).

The Government initially held incommunicado most of the 3,000 SLA members who surrendered to the authorities following the IDF's withdrawal from the south in May 2000 (see Section 1.c.); however, lawyers and family members have since been provided access. The authorities often detain without charges for short periods of time political opponents of the Syrian and Lebanese Governments. All of the former government officials who were detained in 1999 on charges of embezzlement or misuse of power have been acquitted or released on bail. The former officials were detained without charge for prolonged periods of time in Roumieh prison, in violation of the law. Legal action against them remains pending; however, they are free to travel abroad.

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

There were no allegations during the year of the transfer of citizens by government authorities to Syria. In December 2000, the Syrian Government transferred 46 Lebanese citizens, 7 Palestinian residents of Lebanon, and 1 Egyptian citizen from Syrian prisons to Lebanese custody. The Government announced that it would review each case; those who had completed their sentences would be released, others would complete their sentences in government custody. Nine of those turned over remained in custody at year's end, including Abu Haytham Karara, an official of the Progressive Socialist Party. No formal charges were brought against them. Human rights activists believe that there are still Lebanese detainees in Syrian prisons; however, the exact number is unknown. Amnesty International reported in 1999 that "hundreds of Lebanese, Palestinians, and Jordanians have been arbitrarily arrested, some over two decades ago, and remain in prolonged and often secret detention in Syria." According to Amnesty International, Syrian forces operating in Lebanon carried out searches, arrests, and detentions of Lebanese nationals outside any legal framework. The Government formed a committee in December 2000 to investigate cases of those who disappeared during the civil strife (See Section 1.b.). The committee solicited applications from concerned families. Although it was due to issue a report on its findings by year's end, the Government granted the committee an additional 6 months to complete its report.

In August 2000, Syria released Shaykh Heshem Mingara, a radical Sunni member of the Islamic Unification Movement ("Tawheed"), who was arrested by Syrian forces in 1985 and transferred to Syria.

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

There were credible reports that Hizballah detained numerous former SLA militiamen in 2000 before handing them over to government authorities for trial. There were no reports that Hizballah conducted arbitrary arrests in areas outside central government control during the year.

Prior to the Israeli withdrawal, the SLA operated its own detention facility, al-Khiyam prison. There were frequent reports of torture and mistreatment of detainees. Following the disbandment of the SLA in May, all of the prison's 140 inmates were released. A number of former inmates publicly recounted incidents of abuse by prison officials (see Section 1.c.).

In April 2000, the Israeli Government released 13 Lebanese detainees who were held without charge in Israel for as long as 14 years; the former detainees returned to Lebanon under the auspices of the ICRC. Israel continues to hold 21 Lebanese citizens, including Sheikh Abed al-Karim Obaid and Mustafa Dirani.

Forced exile is not practiced regularly; however, in 1991 the Government pardoned former army commander General Michel 'Awn and two of his aides on the condition that they depart the country and remain in exile for 5 years. 'Awn was accused of usurping power. He remained in France at year's end. Former President Amine Gemayel, who lived in France in exile for the past 12 years, returned to the country in July 2000 and again became active in political life.

e. Denial of Fair Public Trial

The judiciary is independent in principle; however, it is 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 intervene to protect their supporters from prosecution.

The judicial system consists of the regular civilian courts; the Military Court, which tries cases involving military personnel and 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 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 years of internal conflicts. Trial delays are aggravated by the Government's inability to conduct investigations in areas outside of its control.

In general, trials are public, but judges have 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 may 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 have the right of appeal. These rights generally are observed in practice.

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

Persons arrested by military intelligence are referred to the Military Court. The Military Court has jurisdiction over cases involving the military as well as those involving espionage, treason, weapons possession, and draft evasion. In June 2000, the Military Court began trying the cases of the approximately 3,000 SLA militiamen who surrendered to the Government following the Israeli withdrawal from the south. Some of the former SLA militiamen were charged under Article 273 of the Penal Code for taking up arms against the State, an offense punishable by death; others were charged under Article 285 of the Penal Code for trading with the enemy, an offense punishable by a minimum of 1 year in prison. Domestic human rights groups and international nongovernmental organizations (NGO's) reported that the trials were open to journalists and members of the public but were not fair. Amnesty International reported that such summary trials, with barely 7 minutes spent on each individual, neither allowed the innocent to be acquitted nor ensured the discovery of those who may be guilty of war crimes. According to Amnesty International, the court tried between 23 and 43 persons each day. SLA lawyers who requested an adjournment to study the files of detainees were granted additional time. However, in most cases, defense lawyers received the file shortly before trial and consequently were unable to argue the cases individually. 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.

By year's end, more than 2,700 former SLA members had been tried and convicted since Israel's withdrawal from south Lebanon in May 2000; none of the 665 tried during the year were acquitted. In total, former SLA members received sentences ranging from 1 week to life imprisonment. Approximately one-third of the former SLA members received 1-year prison sentences and about one-third received sentences of 3 to 4 weeks under Article 273. Two persons who were implicated in the abuse and torture of prisoners at al-Khiam prison were sentenced to life in prison. The military prosecutor recommended the death sentence for 37 former SLA militiamen for allegedly killing members of "the resistance" (i.e., Hizballah). Twenty-one of these militiamen were tried while in government custody; 16 were tried in absentia. The Military Court denied every recommendation for the death sentence and handed down lighter sentences in each case. Following attacks by angry crowds on two former SLA members in their villages, in 2000 the court amended the sentences of some persons, barring them from returning to their villages for several years. According to the Government, these bans were issued to protect the former SLA members and were difficult to enforce. No similar sentences were issued during the year. There were no new reports during the year that former SLA members who returned to their villages were subjected to regular harassment by the Government or Hizballah. By the year's end, the Government had released all but 1 of the 220 SLA militiamen who were tried following the June 1999 SLA withdrawal from Jezzine.

In March the Government indicted in absentia Raghdia Dergham, a correspondent for al-Hayat newspaper, on charges of "fraternizing with the enemy" for her public appearance in the United States with an Israeli official. In November a military court acquitted her of the charge in absentia (see Section 2.a.).

On April 21, members of the security forces raided a sit-in being held by supporters of Samir Ja'Ja' on the occasion of the seventh anniversary of Ja'Ja's detention. The security forces arrested four of the demonstrators. One of the supporters was badly injured during the raid and was transported to a hospital for treatment. Two of those arrested were referred to the military court and found guilty of insulting the President of the Republic and the president of a neighboring and friendly state. They were sentenced to 10 days in prison. The others were released and no charges were brought against them.

On April 30, the Military Court of Cassation nullified a verdict issued by the Permanent Military Tribunal, which had sentenced the owner of an Internet service provider (ISP) and a human rights activist to 1 month in prison. The Court of Cassation instead fined them each \$200 (300,000 Lebanese pounds) (see Section 2.a.).

In May the State Prosecutor's Office requested that the Bar Association lift the immunity of lawyer Muhammad Mugarby to permit Mugarby's prosecution for criticizing the country's judicial system at a press conference. The Bar Association complied with the request; Mugarby's challenge of the decision remained pending at year's end (see Section 2.a.).

On August 16, the Government arrested without warrant Antoine Bassil, a correspondent for a Saudi Arabian television station, for his alleged association with Israeli officials. Bassil could face the death penalty if found guilty. The trial had not begun by year's end (see Section 2.a.).

On August 19, the Government arrested without warrant Habib Younis, the managing editor in al-Hayat's Beirut office, for his alleged association with Israel. Authorities referred his case to a military court, which indicted him for conspiring with Israel. The charge carries a maximum sentence of death. He remained in custody at year's end.

Authorities referred at least 77 of those supporters of General Michel 'Awn and Samir Ja'Ja' who were arrested by security forces in August to both military and civilian courts. Charges brought by the Military Prosecutor's Office included opposing the policy of the Government, disseminating the principles of an unauthorized political party, jeopardizing the country's relations with a friendly state, using oral and written statements not authorized by the Government, defaming the Syrian army's reputation, organizing meetings and activities of a unauthorized political party, and transmitting false and exaggerated information. Tawfiq Hindi, Ja'Ja's former political advisor, who authorities arrested in August, was charged with collaborating with the Israeli enemy, forming an association to harm the State's authority, and damaging the country's relation with a sisterly nation. He faces a maximum sentence of death if convicted. The Court of Cassation ruled in September that the military court did not have jurisdiction in 63 of the cases, which were transferred to a criminal court. 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. Court sessions have been scheduled for February 2002 (see

Section 1.d.).

On August 8, nine supporters of General Michel 'Awn were convicted by the Permanent Military Tribunal for distributing illegal flyers and defamation against the Head of State. Sentences varied from between 5 to 45 days.

In April 2000, the military court sentenced eight students to between 10 days and 6 weeks in prison following their participation in demonstrations against the presence of Syrian troops in the country. All of the students had been released by the end of 2000.

Palestinian groups in refugee camps operate an autonomous and arbitrary system of justice.

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

The Constitution provides for the inviolability of the domicile; however, authorities frequently interfere with the privacy of persons regarded as enemies of the Government. Laws require that prosecutors obtain warrants before entering homes, except when the security forces are in close pursuit of 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 perceived 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 prior authorization from competent judicial authorities. During September 1999 parliamentary hearings, the Speaker of Parliament, the Minister of Interior, and the Surete Generale Director General publicly acknowledged that government officials frequently monitor citizens' private telephone conversations.

Politicians and human rights advocates report increasing and more overt government intelligence services' surveillance of political meetings and political activities across the religious and political spectrum. In October 1999, the Parliament passed a law that authorized surveillance in national security and law enforcement cases but banned its use against government ministers and parliamentary deputies; however, the Government has not yet adopted the necessary implementing decrees.

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 the monitoring of telephones to obtain information regarding their perceived adversaries.

In August 2000, government officials raided the office of an Internet service provider (ISP), based on allegations that the ISP was distributing pornographic materials through the operation of a Web site aimed at the homosexual community. In March the Permanent Military Tribunal tried the owner of the ISP and a human rights activist on charges of violating national security and sentenced them to 1 month in prison. However, in April the Military Court of Cassation vacated the sentence and substituted a fine of \$200 (300,000 Lebanese pounds) (see Section 2.a.).

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 limits this right in practice, particularly by intimidating journalists and broadcasters into practicing self-censorship. The Government censors television broadcasts on a case-by-case basis.

Although there were repeated attempts to restrict the freedom of opinion and speech during the year, daily criticism of government policies and leaders continued. For example, in August the media devoted substantial coverage, much of it critical, to the arrests of supporters of exiled General Michel 'Awn and the Lebanese Forces (see Section 1.d.). Dozens of newspapers and hundreds of periodicals are published throughout the country and are financed by various local and foreign groups. While the press is independent, press content often reflects the opinions of financial backers.

The Government has several legal mechanisms 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 tribunal 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, journalists censor themselves on matters related to Syria.

On several occasions throughout the year, authorities detained persons for distributing antigovernment and anti-Syria leaflets. The military court sentenced nine students to varying lengths of time in prison. All of the students had been released by year's end (see Sections 1.d. and 1.e.).

In May 2000, lawyer Muhammad Muqraby criticized the country's judicial system at a press conference. The State Prosecutor's Office requested that the Bar Association lift Muqraby's immunity (all lawyers enjoy immunity), to permit his prosecution for defaming the judiciary. The Bar Association complied with the request; however, Muqraby challenged the decision of the Bar Association. The case remained pending at year's end (see Section 1.e.). In June 2000, the military court sentenced a man to 1 year in prison for calling on the public to celebrate the death of the late Syrian president Hafiz al-Asad (see Section 1.e.).

In 1999 President Lahoud announced that under his tenure no charges would be brought against any journalist because of his writings or opinions; however, the Government continued to harass, abuse, and detain journalists throughout the year. In March the Surete Generale confiscated the passport of prominent journalist Samir Kassir upon his return to the country after a short trip. The Surete Generale informed Kassir that it was attempting to verify the circumstances under which he obtained his passport. Earlier in the month, Kassir had used the term "private security" in an editorial to refer to the Surete Generale, whose chief reportedly had played a role in negotiating a solution to a dispute between the LAF and political shareholders of Lebanon Broadcasting Corporation International (LBCI) television station. On April 9, the Surete returned Kassir's passport, but noted that it was conducting further investigations into his naturalization file. Security agents followed Kassir during the period in which his passport was confiscated.

On March 13, the Government confiscated the film of several reporters covering demonstrations by The Free Patriotic Movement, or Awnists (see Section 2.b.).

In August the Government brought charges against Joseph Nasr, the editor in chief of the daily newspaper *An-Nahar*, and Rafi Madayan, the author of an article published in that newspaper that the Government deemed insulting to the military. The Government also brought charges against the weekly newspaper *al-Watan al-Arabi* for having published news that it deemed insulting to the Lebanese and Syrian armies. The cases had not been tried by year's end.

On August 9, two journalists were beaten and one journalist was detained by intelligence services agents for reporting on a demonstration against the arrests of activists for the Free Patriotic Movement and the Lebanese Forces (see Sections 1.d. and 2.b.). The detained journalist was released following the intervention of the president of the photographers' union.

On August 16, three men from the army's intelligence services arrested without a warrant Antoine Bassil, a correspondent for the Saudi Arabian television station Middle East Broadcasting Corporation (MBC). On December 5, a court indicted Bassil on charges of contact with the enemy, entering Israel, forming an association to harm the State's authority, and damaging relations with a sisterly country. Bassil could face the death penalty if he is found guilty (see Section 1.e.).

On August 19, the Government arrested without a warrant Habib Younis, an editor with *al-Hayat's* Beirut office on charges of "contact with the Israeli enemy." The Government interrogated Younis without the presence of a lawyer (see Section 1.e.). On December 10, a military court indicted him on charges of conspiring with Israel, a charge that carries a maximum sentence of death. At year's end he remained in custody.

In September Prosecutor General Adnan Addoum announced that he was considering filing charges against members of the Council of Lebanese American Organizations for a statement made in an advertisement in an overseas newspaper. The prosecutor claimed that the statement could provoke attacks against the country.

In June 2000, the Government cancelled the passport of Raghida Dergham, a correspondent for *al-Hayat* newspaper, because she allegedly "fraternized with the enemy" when she appeared publicly in the United States with an Israeli official. The Government reissued the passport shortly after the incident. In March a military court indicted Dergham in absentia on fraternization charges. On November 30, the tribunal acquitted her of the charge, also in absentia (see Section 1.e.).

In 2000 the Government banned a number of publications that printed articles critical of Syria.

The Government continued to restrict radio and television broadcasts in a discriminatory manner. There are 7 television stations and 36 radio stations. The Government owns one television and one radio station; the remaining stations are owned privately. Satellite television is available widely and is inexpensive.

Although the Government does not censor broadcasts directly, government officials exert pressure on journalists to practice self-censorship. During the 2000 parliamentary elections, the Government used the television station it owns, *Teleliban*, to attempt to discredit the leading opposition candidate, former Prime Minister Rafiz Hariri. Nonetheless, Hariri won the election. However, during the year politicians from across the political spectrum, including the opposition, appeared on *Teleliban* programs.

In general the Government does not restrict Internet access, and it is used widely. In August 2000, government officials raided the office of an ISP based on allegations that the ISP was distributing pornographic materials through operation of a website aimed at the homosexual community. The Government also pressed charges against the owner of the ISP and a human rights activist on national security grounds (see Section 1.f.). On April 30, the Military Court of Cassation nullified a verdict issued by the Permanent Military Tribunal on March 9, which had sentenced the owner of the ISP and the human rights activist to 1 month in prison, and instead fined them each \$200 (300,000 Lebanese pounds).

The Government generally respects academic freedom, and the country has 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.

On November 21, two ISF officers entered the campus of St. Joseph University without the University's permission. They removed posters that were critical of government actions at an August political demonstration, as well as Lebanese flags bearing black ribbons (see Section 2.b.). This was the first time since 1974 that security forces entered a university campus without permission from the Administration. On November 26, thousands of students went on strike to protest the action. The Government publicly criticized that ISF's action, and the three officers involved were reprimanded.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, the Government restricts this right. Any group that wishes to organize a rally must obtain the prior approval of the Ministry of Interior, which does not render decisions consistently. Groups opposing government positions sometimes do not receive permits. Various political factions such as Amal, Hizballah, the Free Patriotic Movement ('Awnists), and supporters of former Prime Minister Hariri held several rallies during the year.

On March 13, LAF troops instituted tight security measures to stop 'Awnists from conducting demonstrations in front of Syrian troop posts to mark the 12th anniversary of the beginning of Awn's "war of liberation." Army troops set up numerous checkpoints on all roads leading to university campuses and schools. Traffic was disrupted and students encountered difficulty reaching schools and universities. Student demonstrations held at universities were peaceful, but the security forces confiscated the film of several reporters and detained approximately 40 students for several hours (see Sections 2.a. and 1.d.). In addition, ISF and army members—including riot police and a special forces brigade—obstructed the demonstrators' attempted march to a Syrian troop post.

On several occasions during the year, military personnel used excessive force to disperse protesters, sometimes detaining or arresting them (see Sections 1.c. and 1.d.).

On August 9, approximately 200 persons, mostly university students, gathered near the Justice Ministry to protest the arrests of more than 100 'Awnists and Lebanese Forces supporters (see Section 1.d.). Plainclothes intelligence agents arrested at least 10 persons, reportedly including 1 journalist (see Section 2.a.), and used heavy force to suppress the demonstration. Demonstrators were beaten with rifle butts, kicked, and trampled by security forces. At least two journalists reportedly also were beaten (see Section 2.a.). LAF checkpoints were set up at most main and secondary roads leading to the Justice Ministry to hinder access to the protest. All of those arrested were released within 2 days. A few days after the protest, the Minister of Interior stated that those responsible for using excessive force would be punished. Subsequently the Justice Minister instructed the Prosecutor General's Office to investigate the incident; however, there were no reports that any measures were taken by year's end.

The Constitution provides for freedom of association, and the Government generally respects this right and does not interfere with most organizations; however, it imposes some 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 imposes further restrictions and requirements on organizations that are not enforced consistently. The Ministry at times withholds the receipt, essentially transforming a notification procedure into an approval process. The Ministry in some cases sends notification of formation papers to the security forces, which then conduct inquiries regarding an organization's founding members. The results of such inquiries may be used by the Ministry in deciding whether or not to approve the formation of the group. In 1996 the Ministry of the Interior notified organizations that they must invite Ministry representatives to a general assembly in which votes are held for by-law amendments or in which elections are held for positions on the board of directors. The Ministry also required every association to obtain the Ministry's approval of any change in by-laws; failure to do so could result in the dissolution of the association.

Although the law does not distinguish between political parties and other associations, the Cabinet must license political parties.

The Government 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.).

The Government closely monitors groups that are critical of Syrian policies, and their members are subject to harassment and arrest by the Government.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, there are some restrictions. Discrimination based on religion is built into the system of government. There are no legal barriers to proselytizing; however, traditional attitudes and edicts of the clerical establishment discourage such activity (see Section 5).

The State is required to ensure the free exercise of all religious rites, provided that public order is not 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 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 do 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, and Hindus are not recognized officially, they are allowed to practice their faith without government interference; however, their marriages, divorces, and inheritances in the country are not recognized under the law.

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 Taif Accord, which ended the country's

15-year civil war in 1990, reaffirmed this arrangement but resulted in increased Muslim representation in Parliament and reduced the power of the Maronite President. The Accord called for the ultimate abolition of political sectarianism in favor of "expertise and competence;" however, little substantive progress has been made in this regard. A "Committee for Abolishing Confessionalism," which was called for in the Taif Accord, has not yet been formed. One notable exception is the LAF which, through universal conscription and an emphasis on professionalism, has significantly reduced the role of confessionalism (or religious sectarianism) in that organization. Christians and Muslims are represented equally in the Parliament. Seats in the Parliament and Cabinet, and posts in the civil service, are distributed proportionally among the 18 recognized groups (see Section 3).

The Government does not require citizens' religious affiliations to be indicated on their passports; however, the Government requires that religious affiliation be encoded on national identity cards.

An individual may change his religion if the head of the religious group he wishes to join approves of this change. There are different personal status codes for each of the 18 officially recognized religious groups. Administered by representatives of the groups, these codes govern many areas of civil law, including marriage, divorce, inheritance, and child custody. Many families have relatives who belong to different religious communities, and intermarriage is not uncommon; however, intermarriage may be difficult to arrange in practice between members of some groups because there are no procedures for civil marriage. Article 473 of the Penal Code stipulates that one who "blasphemes God publicly" faces imprisonment for up to 1 year. In 1999 a leading singer and songwriter was accused of insulting Islam for incorporating lines from a poem based on verses from the Koran into a song; however, he was acquitted of the charges in December 1999. No one was prosecuted under this law during the year.

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. The law prohibits travel to Israel. 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 must obtain their husband's signatures to apply for a passport. Although a man may obtain passports for his children without his wife's approval, a woman may not obtain passports for her children without the approval of her husband (see Section 5).

The LAF and Syrian troops maintain checkpoints throughout much of the country. Following the May 2000 Israeli withdrawal, dozens of customs and military intelligence officers were dispatched to the south. In August 2000, the Government deployed approximately 1,000 ISF and LAF officers to the south. Following the withdrawal, the Government announced that citizens no longer require permits to visit Jezzine.

There are no legal restrictions on the right of citizens to return to the country. However, many emigres are reluctant to return for a variety of political, economic, and social reasons. The Government encouraged the return to their homes of over 600,000 persons displaced internally during the civil war. During the year, the Central Fund for the Displaced continued to disburse funds to assist internally displaced persons return to their homes. The Fund provided approximately \$20 million (30 billion Lebanese pounds) for the repair of infrastructure in villages most affected by displacement. Between July 1999 and October 2001, the Fund disbursed approximately \$208 million (300 billion Lebanese pounds) for the repair and reconstruction of homes. The Central Fund discontinued payments in November due to a lack of funds. 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 rebuild their property. The resettlement process is slowed by tight budgetary constraints, destroyed infrastructure, political feuds, a lack of schools and economic opportunities, and the fear that physical security still is inadequate in some parts of the country. During the year, the Ministry of Displaced sponsored several reconciliation meetings between Christian and Druze residents in eight villages throughout the Chouf and Aley. The Ministry also handed over to displaced persons from Mreije, Laylaki, and Tahwit al-Ghadir (southern suburbs of Beirut) the keys to their abandoned houses.

In May 2000, approximately 6,000 SLA militiamen and their families fled to Israel following the Israeli withdrawal and concurrent collapse of the SLA. At year's end, approximately 2,200 of these former SLA personnel and their family members had returned to Lebanon. Several hundred relocated elsewhere outside of Israel, and between 3,000 and 4,000 remained in Israel at year's end. The former SLA personnel who returned to Lebanon faced trial for taking up arms against the State or for trading with the enemy, and most received prison sentences of varying lengths (see Section 1.e.). Those who remain in Israel reportedly wish to avoid facing trial or fear possible retribution. The Government publicly stated that the former SLA militiamen are welcome to return to the country, but that they would face trial upon their return. There have been few incidents of harassment of returned deportees.

Most non-Lebanese refugees are Palestinians. During the year, the U.N. Relief and Works Agency (UNRWA) reported that the number of Palestinian refugees in the country registered with the UNRWA was approximately 383,000. This figure, which includes only the families of refugees who arrived in 1948, is presumed to include many thousands who reside outside of the country. Most experts estimate the actual number in the country to be between 150,000 and 200,000. Most Palestinian refugees are unable to obtain citizenship and are subject to governmental and societal discrimination; however, Palestinian women who marry Lebanese men may obtain citizenship (see Section 5).

The Government issues laissez-passers (travel documents) to Palestinian refugees to enable them to travel and work abroad. In January 1999, the Government eased the tight travel restrictions that it previously imposed on Palestinians resident in the country 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 1999, the Government stopped issuing visitors' visas to Jordanian nationals who were born in Lebanon and are of Palestinian origin. In recent years, Palestinian incomes have continued to decline. The law prohibits Palestinian refugees from working in 72 professions.

In April the Parliament passed legislation depriving Palestinian refugees of the right to own property in the country. Under the new law, Palestinians no longer may purchase property and those who own property will be prohibited from passing it on to their children. The Parliament justified the law 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.

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 grants admission and temporary (6 months) refuge to asylum seekers, but not permanent asylum. The Government generally cooperates with the offices of the U.N. High Commissioner for Refugees (UNHCR) and UNRWA.

According to the UNHCR, there are nearly 3,000 non-Palestinian refugees (mostly Iraqi Kurds and Sudanese) residing in the country. The Surete Generale periodically detains non-Palestinian refugees, primarily Iraqis and Sudanese, for illegal entry. Some of those detained are registered with the UNHCR and are eligible for resettlement outside the country. Two recognized refugees had been held in detention for more than one year by year's-end. The Surete Generale denies UNHCR officials access to the detainees. There were credible reports that the Surete Generale deported Iraqi Kurds seeking asylum in Lebanon back to Iraq through Syria.

During 2000 the Government granted political asylum to Japanese Red Army (JRA) member Kozo Okamoto, citing services rendered to the Arab cause and his physical incapacity; Okamoto led the massacre at Israel's Lod airport in 1972. The Government refused to grant asylum to four other JNA members and deported them to Japan.

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 control over parts of the country, defects in the electoral process, and strong Syrian influence over politics and decisionmakers significantly restrict this right.

According to the Constitution, 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.). 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.

There was some improvement in the parliamentary elections held in August and September 2000, such as fewer incidents of voter fraud and tampering with ballots than in the previous election; however, the electoral process was flawed with serious shortcomings. The Syrian Government heavily influenced the electoral law governing the process and also preapproved all of the candidates on alliance slates, who ultimately won seats in the Cabinet. Security officials promoted relatives and political allies, and government officials supervised voting. The Government also used the official television station, Teleliban, to discredit the leading opposition candidate, former Prime Minister Rafiq Hariri. Officials applied inconsistent voting regulations, often favoring progovernment candidates. Officials of various security services personally became involved in promoting candidates who were political allies or relatives. Nonetheless, Prime Minister Hoss lost his seat in a contested election, as did many progovernment candidates. Following his overwhelming victory in parliamentary

elections, the President and members of Parliament selected former Prime Minister Hariri as the new Prime Minister on October 23, 2000. Following consultation between the Government and senior Syrian officials, President Lahoud and Prime Minister Hariri reached an agreement on the composition of the new Cabinet.

In 1998 the Parliament elected a new President after amending the Constitution on a one-time basis to permit senior government officials 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 political leaders in the selection of the presidential candidate; however, there was broad public support for the new President, Emile Lahoud, who took office in November 1998.

On September 9, 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 are significant cultural barriers, and the percentage of women in government or politics does not reflect accurately their numbers in the population. No woman has ever held a cabinet position. In September 2000, 3 women were elected to the 128-seat Parliament.

Palestinian refugees have no political rights (see Section 5). An estimated 17 Palestinian factions operate in the country and are generally organized around prominent individuals. Most Palestinians live in refugee camps controlled by one or more factions. Refugee leaders are not elected, but there are "popular committees" that meet regularly with the UNRWA and 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 1999 (see Section 1.d.). The Bar Association and other private organizations regularly hold public events that include discussions of human rights issues. Some human rights groups reported harassment and intimidation by government, Syrian, or Hizballah forces.

The Government generally cooperates with international NGO's. In July 2000, Amnesty International opened an office in the country. During a December visit to the country, Amnesty International Secretary General Irene Zubaida Khan and an accompanying Amnesty International delegation met with President Lahoud and a number of domestic NGO's.

During the year, government officials discussed human rights problems with representatives of foreign governments and NGO's.

The Parliamentary Commission for Human Rights did not take action in response to the arrests in August by security forces of antigovernment and anti-Syrian protestors. However, the Commission played an important role in ratifying the U.N. Convention against Torture, passing the new Code of Criminal Procedures, and in improving the conditions of children and women. The Commission also inspected prisons to investigate the conditions of inmates. Following visits to the prisons, the Commission's chairman stated that prison conditions were "deplorable" and that the Commission would work on improving prison conditions by passing the Code of Criminal Procedures and by disbursing \$50 million (80 billion Lebanese pounds) to build new correctional facilities; however, no funds had been allocated by year's end. The Commission also recommended that inmates at the women's prisons of Verdun and Baabda be relocated to the central prison of Rumieh, where conditions are somewhat better; they had not been transferred by year's end. (See Section 2.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;" however, in practice aspects of the law and traditional beliefs discriminate against women, and religious discrimination is built into the political system. Although the law reserves a percentage of private sector and government jobs to persons with disabilities, there are few accommodations made for them. Discrimination based on race, language, or social status is illegal and is not widespread among citizens; however, foreign domestic servants often are mistreated.

Women

The law does not specifically prohibit domestic violence; however, violence against women is a common problem. The press reports cases of rape with increasing frequency, and cases reported are believed 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 due to fear of bringing shame upon their own families or accusations of misbehavior upon themselves. 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 are 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 prevent women from leaving their husbands. Doctors and social workers believe that most abused women do not seek medical help because of shame or inability to pay for treatment.

The Government has no separate program to provide medical assistance to battered women; however, it provides legal assistance to victims who cannot afford it regardless of the gender of the victim. In most of the cases, the police ignore complaints submitted by battered or abused women. The NGO the Lebanese Council to Resist Violence Against Women has worked actively to reduce violence against women by offering counseling and legal aid and raising awareness about domestic violence.

Foreign domestic servants often are mistreated, abused, and in some cases, raped. Asian and African female workers have no practical legal recourse available to them because of their low status, isolation from society, and because the labor laws do not protect them (see Section 6.e.). Because of such abuse, the Government prohibits foreign women from working if they are from countries that do 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.

The legal system is discriminatory in its handling of so-called "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. However, in 1999 the law was amended to increase the severity of the sentence for perpetrators of "honor crimes." 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 during the year. No person has been convicted in a case legally considered as an honor crime.

Prostitution is legal but regulated; in practice most prostitution is unlicensed and thus illegal. Thousands of foreign women, primarily from Russia and Eastern Europe, engage in prostitution.

The country is a destination for trafficked persons, primarily women (see Section 6.f.).

Women have varying 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 of the home or their contact with friends and relatives. The law prohibits sexual harassment; however, it is a widespread problem.

Women may own property but often cede control of it to male relatives for cultural reasons and because of family pressure. Husbands may block foreign travel by their wives (see Section 2.d.). The testimony of a woman is equal to that of a man in court (see Section 1.e.). During 2000 the Government amended some labor laws affecting women. For example, maternity leave was extended, and women no longer are forbidden from working at night. During the year, Parliament adopted a law providing equal pay for equal work for men and women.

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.

Religious groups administer their own family and personal status laws (see Section 2.c.). 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 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 are recognized by the State. Only religious authorities may perform marriages.

Children

The plight of children remains a serious concern; however, the Government has not allocated sufficient resources to address the situation. Education is free in public schools and compulsory until the age of 12. However, public schools generally are inadequate, and the cost of private education is a significant problem for the middle and lower classes. Many children, particularly in rural areas, take jobs at a young age to help support their families. 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 receive more education than girls. Illiteracy rates have reached 37.5 percent. The minimum for child employment is 13 years of age (See Section 6.d.).

The Ministry of Health requires the establishment of health records for every child up to 18 years of age.

An undetermined number of children are neglected, abused, and exploited. The normal procedure for adoption is through religious homes or institutions authorized to arrange adoption; however, the demand to provide

infants for adoption abroad results in illegal international adoptions. There are no statistics available concerning the prevalence of the illegal adoption of infants. Poor children often are compelled by their parents to seek employment and often take jobs that jeopardize their safety, including in industry, car mechanic shops, and carpentry (see Section 6.d.). Because of their ages, wages earned by such children are not in conformity with labor regulations. The Government does not have specific child protection laws to remove children from abusive situations and does not grant NGO's adequate legal standing to litigate on behalf of abused minor children.

There are hundreds of abandoned children in the streets nationwide, some of whom survive by begging or by working for low wages. The Center for Street Children has been active in gathering children from various regions and providing a home for them. The Center places children with disabilities in institutions and refers children with police records to juvenile courts.

During the year, the police discovered and broke up several child prostitution rings.

Juvenile delinquency is rising; many juveniles wait in ordinary prisons for trial and remain there after sentencing. Although their number is 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. The Government operates a modern juvenile detention facility in Ba'asir.

The Committee for Children's Rights, formed by prominent politicians and some local NGO's, has been lobbying for legislation to improve the condition of children. The Ministry of Social Affairs oversees the Higher Council for Childhood and the National Committee for Literacy. The Higher Council for Childhood prepares legal studies and produces progress reports on national compliance with the Convention on the Rights of the Child. During the year it published a report documenting the follow-up to the World Summit for Children.

Persons with Disabilities

More than 100,000 persons became disabled during the civil war. Families generally perform care of persons with disabilities. Most efforts to secure education, independence, health, and shelter for persons with disabilities are made by approximately 100 private organizations. These organizations are relatively active, although poorly funded.

There are few accommodations for persons with disabilities in the cities. The Government does not mandate building-code requirements for nongovernment buildings for ease of access by persons with disabilities, although in its rebuilding projects the Government has constructed sidewalks in some parts of Beirut that allow access for persons with disabilities. The private "Solidere" project for the reconstruction of downtown Beirut has self-imposed requirements for access by persons with disabilities. This project is considered to be a model for construction efforts around the country.

During 2000 Parliament passed amendments to the law on persons with disabilities which stipulate 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. The amendments provide the private sector with tax-reduction benefits if the number of persons with disabilities who are hired exceed the number specified in the law. The amendments also impose a new building code for all government buildings and require that public transportation be accessible for persons with disabilities. Implementing regulations have not yet been adopted.

On December 2, citizens with disabilities elected 12 members to an 18-member National Committee for Disabled Affairs. The Government is to appoint the remaining six members of the Committee. Some associations representing persons with disabilities boycotted the elections, resulting in very low voter turn out; only 666 of 19,000 eligible voters participated in the elections.

Religious Minorities

Discrimination based on religion is built into the system of government (see Sections 2.c. and 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, have reduced significantly the role of religious sectarianism in that the organization. Each religious group has its own courts for family law matters, such as marriage, divorce, child custody, and inheritance (see Section 2.c.).

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

In October a Greek Orthodox church in Tripoli and the Saint Elias Maronite Church in Sidon were bombed. Later that month, arsonists set fire to a north Lebanese mosque. President Lahoud blamed "Israeli sympathizers" for the second incident. No one had been arrested in connection with either crime by year's end.

On October 3, 1999, one person was killed when a bomb exploded in a Maronite church in an eastern Beirut suburb. There were no arrests made in the case during the year.

In December 1999, Sunni extremists killed four LAF soldiers in an ambush in the northern region of Dinniyeh after the soldiers attempted to arrest two Sunni Muslims allegedly involved in a series of church bombings. On December 31, 1999, the LAF retaliated by launching a massive military operation against Sunni extremists in the north. Five civilians, 7 LAF soldiers, and 15 extremists were killed in the operation (see Section 1.a.).

According to the UNHCR, an estimated 380,000 Palestinian refugees are registered in the country (see Section 2.d.); however, it is believed that perhaps between 150,000 to 200,000 Palestinians actually reside in the country. 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 the country. Refugees fear that the Government may reduce the size of the camps or eliminate them completely. Very few Palestinians receive work permits, and those who find work usually are directed into unskilled occupations.

In recent years, Palestinian incomes have declined. 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, prostitution, and crime reportedly are increasing in the camps, although reliable statistics are not available. In August 1999, the Fatah faction of the PLO expanded its operations in the Ain al-Hilwah refugee camp by opening security offices and hiring personnel to maintain order in the camps.

All workers except government employees may establish and join unions. 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 (GCL).

The law provides for the right to strike. In October the General Federation of Labor Unions held a demonstration to protest an increase in the price of gasoline.

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. Union leaders allege credibly that, in the past, the Government has tried to interfere in elections for union officials.

Forced labor is not prohibited by law. Children, foreign domestic servants, and other foreign workers sometimes are forced to remain in situations amounting to coerced or bonded labor (see Sections 5 and 6.e.).

There were reports that women were trafficked to the country (see Section 6.f.).

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

The Labor Code stipulates that workers between the ages of 8 and 16 may not work more than 7 hours per day, and requires 1 hour of rest provided after 4 hours. The law defines workers under the age of 13 as child laborers. Children 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 law prohibits children under the age of 16 from working in jobs that jeopardize their health, safety, or morals and requires that employers give children at least 20 hours of annual leave. In June 2000, Parliament passed amendments to the Labor Code that prohibit children under age 18 from working more than 6-hour days with 1 hour of rest for days of more than 4 hours of work, and from working between the hours of 7 p.m. and 7 a.m. The proposed amendments also would entitle children to 20 hours of paid annual leave. The Ministry of Labor is responsible for enforcing these requirements; however, it does not apply the law rigorously. Forced and bonded child labor is not prohibited and sometimes occurs (see Sections 5 and 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 1996 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 1995 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 the minimum wage until they reach the age of 21.

e. Acceptable Conditions of Work

The Government sets a legal minimum wage, currently approximately \$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 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 per week, and workers in other sectors work 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 is responsible for enforcing these regulations, and it does so unevenly. Labor organizers report that workers do 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 are mistreated, abused, and raped (see Section 5). 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, may 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 employers when the workers arrive at the airport. Foreign domestic servants are not protected by labor laws. Domestic servants often work 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 approximately \$100 (150,000 Lebanese pounds) per month. They have no entitlement to government financial assistance. Many foreign 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.

f. Trafficking in Persons

The law does not specifically prohibit 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. The country is a destination for internationally trafficked persons, primarily women. There is illegal prostitution involving foreign women, primarily from Russia and Eastern European countries.

Foreign domestic workers are not protected by labor laws. Their passports usually are confiscated by recruitment agencies or employers when the workers arrive at the airport. Employers sometimes falsely accuse employees who leave their jobs of crimes so that the police will help locate them and the employer is able to exert pressure to coerce them to return (See section 6.e.).

This site is managed by the Bureau of Public Affairs, U.S. Department of State. External links to other Internet sites should not be construed as an endorsement of the views contained therein.

